

In adopting the eighteenth amendment and in enacting the Volstead Act the question of their application to foreign vessels in the circumstances now presented does not appear to have been in mind. If, upon consideration, Congress shall conclude that when such vessels in good faith, carrying liquor among their sea stores, come temporarily into our ports, their officers should, ipso facto, become liable to drastic punishment and the ships themselves subject to forfeiture, it will be a simple matter for that body to say so in plain terms. But interference with the purely internal affairs of a foreign ship is of so delicate a nature, so full of possibilities of international misunderstandings, and so likely to invite retaliation, that an affirmative conclusion in respect thereof should rest upon nothing less than the clearly expressed intention of Congress to that effect, and this I am unable to find in the legislation here under review.

ADJOURNMENT.

Mr. CURTIS (Mr. SPENCER in the chair). I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 30 minutes p. m.) the Senate adjourned until to-morrow, Friday, March 14, 1924, at 12 o'clock m.

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 13 (legislative day of March 12), 1924.

PROMOTIONS IN THE NAVY.

To be rear admiral.

Frank H. Schofield.

To be captains.

Henry N. Jenson.

Percy W. Foote.

To be lieutenant commanders.

Lloyd R. Gray.

Elroy L. Vanderkloot.

To be lieutenants.

Michael Macdonald.

John O. Jenkins.

To be lieutenants (junior grade).

Walter M. Blumenkranz.

Edwin D. Graves, jr.

Frank W. Rasch.

Wilbur A. Wiedman.

Albert McL. Wright.

DeLong Mills.

George Van Deurs.

To be chief gunners.

Glen R. Ogg.

James R. Fallon.

To be chief machinists.

James E. Graham.

James B. Nolan.

To be chief carpenters.

William Finlay.

Giles E. Quillin.

Leonard H. Lyon.

William English.

Samuel D. Moyer.

Leo M. Hull.

George A. Sipzer.

John A. Kemmler.

Edward T. Cafferkey.

James J. Maune.

Elmer L. Harding.

George Murphy.

John A. Nicol.

Albert E. Rue.

John P. Paul.

William E. McDonough.

James J. Sullivan.

To be chief pay clerk.

Charles H. Brandenburg.

To be assistant surgeons, with rank of lieutenant (junior grade).

James B. Brown.

Arthur D. Hawkins.

POSTMASTERS.

COLORADO.

Roy McWilliams, Ault.

KANSAS.

Charles T. Murray, Isabel.

Ethel White, Merriam.

James B. Pratt, Syracuse.

KENTUCKY.

William C. Huddleston, Butler.

Deborah C. Thomas, Dekoven.

MINNESOTA.

Margaret E. Thompson, Grey Eagle.

Clara M. Hjertos, Middle River.

NEBRASKA.

Charles W. Fritts, Crawford.

NORTH CAROLINA.

Jesse W. Wood, Littleton.

OHIO.

Charles H. Morrison, Hebron.

Clifford B. Hyatt, Killbuck.

Nathan H. Powell, Pleasant Hill.

TENNESSEE.

James B. Morris, Brunswick.

Christine M. Meister, Loretto.

HOUSE OF REPRESENTATIVES.

THURSDAY, March 13, 1924.

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Through the shades and silent rest Thou hast brought us, our blessed heavenly Father; therefore, we bless and praise Thy holy name! The touch of Thy love and mercy is as gentle as the morning light. Be with us that we may think clearly, feel deeply, and labor wisely, as the God of man desires. Moved by an irresistible devotion to country, keep us close to the feelings and needs of our fellow citizens. Teach us the best way to see, the best way to reason, the best way to act, and the best way to do our part in serving society and State. Through Jesus Christ our Lord. Amen.

The Journal of the proceedings of yesterday was read and approved.

APPROPRIATIONS FOR THE MILITARY AND NONMILITARY ACTIVITIES OF THE WAR DEPARTMENT.

Mr. ANTHONY, by direction of the Committee on Appropriations, reported the bill (H. R. 7877) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1925, and for other purposes, which, with the accompanying report, was ordered printed and referred to the Committee of the Whole House on the state of the Union.

Mr. BYRNS of Tennessee. Mr. Speaker, I desire to reserve all points of order on the bill.

ENROLLED BILLS SIGNED.

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same: H. R. 5624. An act authorizing the construction of a bridge across the Ohio River to connect the city of Benwood, W. Va., and the city of Bellaire, Ohio;

H. R. 5348. An act granting the consent of Congress for the construction of a bridge across the St. John River between Fort Kent, Me., and Clairs, Province of New Brunswick, Canada;

H. R. 5337. An act granting the consent of Congress to construct a bridge over the St. Croix River between Vanceboro, Me., and St. Croix, New Brunswick;

H. R. 4120. An act granting the consent of Congress to the Greater Wenatchee irrigation district to construct, maintain, and operate a bridge across the Columbia River;

H. R. 4182. An act authorizing the city of Ludington, Mason County, Mich., to construct a bridge across an arm of Pere Marquette Lake;

H. R. 4187. An act to legalize a bridge across the St. Louis River, in Carlton County, State of Minnesota;

H. R. 2818. An act to grant the consent of Congress to construct, maintain, and operate a dam and spillway across the Waccamaw River, in North Carolina;

H. R. 3845. An act to authorize the construction of a bridge across the Little Calumet River at Riverdale, Ill.;

H. R. 4984. An act to authorize the Clay County bridge district, in the State of Arkansas, to construct a bridge over Current River;

H. R. 4457. An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Cherokee Indians may have against the United States, and for other purposes; and

S. 684. An act to authorize the coinage of 50-cent pieces in commemoration of the commencement on June 18, 1923, of the work of carving on Stone Mountain, in the State of Georgia, a

monument to the valor of the soldiers of the South, which was the inspiration of their sons and daughters and grandsons and granddaughters in the Spanish-American and World Wars, and in memory of Warren G. Harding, President of the United States of America, in whose administration the work was begun.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bill:

H. R. 6901. An act to amend section 252 of the revenue act of 1921 in respect of credits and refunds.

INCREASE OF COAST GUARD FOR LAW ENFORCEMENT.

The SPEAKER. The unfinished business is the bill (H. R. 6815) to authorize a temporary increase of the Coast Guard for law amendment which the Clerk will report by title.

The Clerk reported the title of the bill.

The SPEAKER. The question is on the third reading.

The bill was ordered to be read a third time, and was read the third time.

Mr. HILL of Maryland. Mr. Speaker, I make a motion to recommit the bill.

Mr. BLANTON. Mr. Speaker, I also desire to make a motion to recommit the bill.

The SPEAKER. Is the gentleman from Maryland opposed to the bill?

Mr. HILL of Maryland. I am.

Mr. BLANTON. I am also opposed to the bill.

The SPEAKER. Are either of the gentlemen members of the committee?

Mr. HILL of Maryland. Neither one of us, sir.

The SPEAKER. The Chair will recognize the gentleman from Maryland.

Mr. BLANTON. Mr. Speaker, may I suggest that the gentleman from Maryland is a member of the majority, from which side this bill comes, and I am on the minority side of the House.

The SPEAKER. The Chair will recognize the gentleman from Maryland. The Clerk will read the motion to recommit.

The Clerk read as follows:

Mr. HILL of Maryland offers the following motion to recommit the bill to the Committee on Interstate and Foreign Commerce, with instructions to that committee to report the same back forthwith, with the following amendment: Strike out all after the enacting clause and insert:

"That the Secretary of the Navy is authorized to lend to the Department of the Treasury, for the use of the Coast Guard, such vessels of the Navy, with their outfits and armaments, as can be spared by the Navy, and as are adapted to the use of the Coast Guard, with the necessary officers and enlisted men of the Navy to handle the same for temporary needs."

Mr. BEGG. Mr. Speaker, I make the point of order that that motion is not in order, because it changes the bill entirely, and practically the same language was ruled out on a point of order in Committee of the Whole House.

The SPEAKER. The Chair will hear the gentleman from Maryland.

Mr. HILL of Maryland. Mr. Speaker, this is a bill which, according to its terms, would temporarily place at the disposition of the Coast Guard certain naval vessels and provide for the construction of certain other vessels and the employment of officers and men by the Coast Guard temporarily in order that the national prohibition enforcement act may be enforced as against alleged smuggling. The bill provides for an ultimate expenditure of \$13,000,000 additional to the \$10,000,000 already appropriated for the Coast Guard. My substitute provides for the lending to the Coast Guard by the Navy of ships, with their officers, men, and equipment, for the period of the temporary need, which will accomplish that purpose without any additional expense to the American people, and I respectfully submit it is in order.

The pending bill, to which I offer this substitute, would make possible the appropriation of nearly \$24,000,000 for the Coast Guard for the coming year, nearly \$2,000,000 more than the total cost of the whole United States Navy in 1890. The question here raised has nothing to do with the merits or demerits of prohibition or of the Volstead Act, and should be so considered and voted upon. This is not a question of "wet" or "dry." It presents merely a question of efficient and economical prevention of smuggling. My substitute will save \$13,887,007.07 and stop smuggling, if anything will. I submit that my substitute is in order. The Navy was used to prevent the importation of slaves and for various other purposes cited by the Attorney General in the opinion I read here yesterday.

If it is true that the Coast Guard can not handle the smuggling situation, let them have the aid of the existing Navy without the waste of nearly \$14,000,000 needlessly to create a new Navy. I again suggest my substitute is in order.

The SPEAKER. The Chair thinks, inasmuch as the gentleman's motion to recommit provides not only for the vessels of the Navy but also for the necessary officers and enlisted men of the Navy, that it is fairly subject to the point of order, and the Chair sustains the point of order.

Mr. BLANTON. Mr. Speaker, I offer a motion to recommit, which was not held out of order yesterday.

The SPEAKER. The gentleman from Texas offers a motion to recommit, which the Clerk will report.

The Clerk read as follows:

Mr. BLANTON moves to recommit this bill to the Committee on Interstate and Foreign Commerce, with instructions to report the bill back to the House forthwith amended as follows: Strike out all of section 1 and insert in lieu thereof the following: "That the Secretary of the Navy is authorized to cooperate with the Department of the Treasury, by combining with the vessels in use of the Coast Guard such vessels of the Navy, with their officers and personnel, their outfits and armaments, as can be spared by the Navy and as are adapted to the use of the Coast Guard, to suppress smuggling into the United States," and strike out the balance of the bill.

Mr. GRAHAM of Illinois. Mr. Speaker, I think that is subject to a point of order, and I make the point of order.

The SPEAKER. The Chair will hear the gentleman on the point of order.

Mr. GRAHAM of Illinois. The point of order is that it is not germane to the bill, in this respect: It seeks to turn over to the Coast Guard certain units of the Navy, together with their officers and enlisted personnel. The Speaker will observe that it does not state whether these officers and men shall be under the control of the Coast Guard or whether they shall retain their ratings as naval officers and enlisted men of the Navy.

The SPEAKER. The Chair will hear the gentleman from Texas.

Mr. BLANTON. Mr. Speaker, this proposed substitute of mine was not held out of order yesterday when this bill was debated in the Committee of the Whole House on the state of the Union. It was an amendment which was voted upon in the committee. It was so clearly in order that yesterday neither the chairman nor any other Member would make a point of order against it.

This bill is alleged to be designed to assist the President of the United States as chief executive officer of the Nation in enforcing the prohibition laws and in suppressing smuggling. It is to give him an added force in addition to the present Coast Guard force. I do not believe that it will stop smuggling, but will waste \$15,000,000, and I offer a substitute that will stop smuggling and cost nothing extra. This amendment does not go beyond the scope of the bill. It merely provides that such of the boats of the Navy as are adaptable, with their whole equipment, shall cooperate with the Coast Guard in suppressing the liquor traffic, in suppressing the smuggling of liquor. This is in direct line with what the President of the United States wanted to do when he requested authority to use the Navy from the Attorney General, who held he did not have authority. This proposal of mine is to give him authority to use the Navy.

The SPEAKER. The gentleman will confine himself to the point of order.

Mr. BLANTON. If the Speaker will inspect the preamble of the bill, he will see that it is to grant an additional force "to enforce the law." That is the main purpose; that is the big, broad purpose, "to enforce the law." This amendment comes within that general provision and within the broad provision stated in the preamble, to enforce the law.

The Chair will note there are various provisions in this bill which provide that various officers of the Navy and the enlisted personnel of the Navy may be loaned to this service and that they shall not lose their standing and their rating of priority in the Navy. In other words, when they are sent back to the Navy, either as reserve or regular officers, they shall retain their priority rights, and that is true as to the enlisted personnel. It deals, in many instances, with officers and the enlisted personnel of the Navy, and the priority of their rights is secured.

The bill is broad enough to take in an amendment of this kind. It is not a question of expediency; it is not a question of the merits of the amendment; it is a question to be voted up or down by the House. It is merely a question of germaneness, and I submit it is germane to the purposes of the bill.

The SPEAKER. The Chair thinks the ruling made on the amendment offered by the gentleman from Maryland [Mr. HILL] applies exactly to this amendment providing that vessels of the Navy, with their officers and personnel, their outfits and armament, are to be transferred, and the Chair sustains the point of order.

CALL OF THE HOUSE.

Mr. BLANTON. Mr. Speaker, I think we ought to have a quorum present, and I make the point of order that there is no quorum present.

Mr. BANKHEAD. Mr. Speaker, a parliamentary inquiry. What is the parliamentary situation with reference to the bill?

The SPEAKER. The question is on the passage of the bill.

Mr. CRAMTON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. CRAMTON. If there is a roll call at this time, would it be on the passage of the bill?

The SPEAKER. No; it would not.

Mr. CRAMTON. Then would not the gentleman from Texas [Mr. BLANTON] prefer to withhold his point of order so we may have it on the passage of the bill? Will the gentleman not withhold his point of order?

Mr. BLANTON. If the gentleman wants to take up his conference report before the vote, I will withhold it.

Mr. CRAMTON. No.

Mr. BLANTON. We are going to require a quorum anyway.

Mr. CRAMTON. But let us have a vote on the passage of the bill instead of a useless roll call now.

Mr. BLANTON. I think it is better to have it now, Mr. Speaker.

The SPEAKER. The gentleman from Texas makes the point of order there is no quorum present. It is clear there is not a quorum present.

Mr. LONGWORTH. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, when the following Members failed to answer to their names:

Almon	Edmonds	Kvale	Rogers, N. H.
Anderson	Fairchild	LaGuardia	Romjue
Arnold	Fish	Langley	Sanders, N. Y.
Black, N. Y.	Fulmer	Lineberger	Sears, Fla.
Black, Tex.	Funk	Little	Sweet
Bowling	Gallivan	Logan	Swoope
Boylan	Geran	McClintie	Taylor, Colo.
Britten	Goldsborough	McDuffie	Tilson
Brumm	Graham, Pa.	McFadden	Treadway
Cole, Ohio	Greene, Mass.	Michaelson	Upshaw
Connolly, Pa.	Haugen	Miller, Ill.	Vincent, Mich.
Corning	Hawes	Moore, Ill.	Ward, N. C.
Curry	Howard, Nebr.	Morin	Ward, N. Y.
Davis, Minn.	Jacobstein	O'Brien	Wason
Deal	Johnson, S. Dak.	O'Connor, La.	Wertz
Dempsey	Jost	Phillips	Williams, Ill.
Denison	Kahn	Rathbone	Wood
Dickstein	Knutson	Reed, W. Va.	Wyant
Dominick	Kurtz	Reid, Ill.	

The SPEAKER. Three hundred and fifty-four Members having answered to their names, a quorum is present.

Mr. WINSLOW. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The question is on the passage of the bill.

Mr. WINSLOW. Mr. Speaker, I call for the yeas and nays on the passage of the bill.

The yeas and nays were ordered.

The question was taken; and there were—yeas 304, nays 50, not voting 77, as follows:

YEAS—304.

Abernethy	Browne, Wis.	Cook	Fisher
Ackerman	Browning	Cooper, Ohio	Fitzgerald
Aldrich	Buchanan	Cooper, Wis.	Fleetwood
Allen	Bulwinkle	Cramton	Foster
Algood	Burdick	Crisp	Frear
Andrew	Burtness	Crosser	Fredericks
Aswell	Burton	Crowther	Free
Ayres	Bushy	Curry	French
Bacharach	Butler	Dallinger	Frothingham
Bacon	Byrnes, S. C.	Darrow	Fulbright
Bankhead	Byrns, Tenn.	Davey	Fuller
Barbour	Cable	Davis, Tenn.	Garber
Barkley	Campbell	Dickinson, Iowa	Gardner, Ind.
Beck	Canfield	Dickinson, Mo.	Garner, Tex.
Beedy	Cannon	Doughton	Garrett, Tenn.
Beers	Carter	Dowell	Garrett, Tex.
Begg	Chindblom	Drane	Gasque
Bell	Christopherson	Driver	Gibson
Bixler	Clague	Edmonds	Gifford
Bland	Clark, Fla.	Elliot	Gilbert
Boles	Clarke, N. Y.	Evans, Iowa	Glatfelter
Box	Cole, Iowa	Evans, Mont.	Graham, Ill.
Boyce	Collifer	Fairfield	Green, Iowa
Brand, Ga.	Collins	Faust	Greenwood
Brand, Ohio	Colton	Favrot	Griest
Briggs	Connally, Tex.	Fenn	Hadley

Hammer	Lozier	Perkins	Strong, Pa.
Hardy	Luce	Perlman	Summers, Wash.
Harrison	Lyon	Porter	Summers, Tex.
Hastings	McKenzie	Pou	Swank
Hawley	McKeown	Purnell	Swing
Hayden	McLaughlin, Mich.	Quinn	Taber
Hersey	McLaughlin, Nebr.	Ragon	Taylor, Tenn.
Hickey	McLeod	Rainey	Taylor, W. Va.
Hill, Ala.	McReynolds	Raker	Temple
Hill, Wash.	McSwain	Ramseyer	Thatcher
Hoch	McSweeney	Rankin	Thomas, Ky.
Holaday	MacGregor	Rayburn	Thomas, Okla.
Hooker	MacLafferty	Reece	Thompson
Howard, Okla.	Madden	Reed, Ark.	Tillman
Huddleston	Magee, N. Y.	Reed, N. Y.	Timberlake
Hudson	Magee, Pa.	Richards	Tucker
Hudspeth	Major, Ill.	Roach	Underhill
Hull, Tenn.	Major, Mo.	Robinson, Iowa	Underwood
Hull, Iowa	Manlove	Robison, Ky.	Upshaw
Hull, Morton D.	Mansfield	Rogers, Mass.	Vaile
Hull, William E.	Mapes	Rosenbloom	Vestal
Humphreys	Martin	Rouse	Vincent, Mich.
James	Merritt	Rubey	Vinson, Ga.
Jeffers	Michener	Salmon	Vinson, Ky.
Johnson, Ky.	Miller, Wash.	Sanders, Ind.	Wainwright
Johnson, Tex.	Milligan	Sanders, Tex.	Wason
Johnson, Wash.	Mills	Sandlin	Watkins
Johnson, W. Va.	Montague	Schall	Watson
Jones	Moore, Ga.	Scott	Weaver
Kearns	Moore, Ohio	Sears, Fla.	Wefald
Keller	Moore, Va.	Sears, Nebr.	Welsh
Kelly	Moore, Ind.	Seger	White, Kans.
Kendall	Morehead	Shallenberger	Williams, Mich.
Kerr	Morgan	Shimmons	Williams, Tex.
Ketcham	Morris	Sinclair	Williamson
Kless	Morrow	Sinnot	Wilson, Ind.
Kincheloe	Murphy	Sites	Wilson, La.
King	Nelson, Me.	Smith	Wilson, Miss.
Kopp	Nelson, Wis.	Smithwick	Wingo
Lanham	Newton, Minn.	Snell	Winslow
Lankford	Nolan	Snyder	Winter
Larsen, Ga.	O'Connell, R. I.	Speaks	Wolf
Larson, Minn.	O'Sullivan	Sproul, Ill.	Wood
Lazaro	Oldfield	Sproul, Kans.	Woodruff
Lea, Calif.	Paige	Stalker	Woodrum
Leatherwood	Park, Ga.	Stegall	Wright
Leavitt	Parker	Stedman	Wurzbach
Lee, Ga.	Parks, Ark.	Stephens	Yates
Longworth	Patterson	Stevenson	Young
Lowrey	Peery	Strong, Kans.	

NAYS—50.

Berger	Doyle	Lindsay	Ransley
Blanton	Drewry	Lathicum	Subath
Bloom	Dyer	McNulty	Schafer
Browne, N. J.	Eagan	Mead	Schneider
Buckley	Fairchild	Minahan	Sherwood
Carew	Geran	Mooney	Stengle
Casey	Griffin	Newton, Mo.	Sullivan
Celler	Hill, Md.	O'Connell, N. Y.	Tague
Clancy	Kent	O'Connor, N. Y.	Tydings
Connery	Kindred	Oliver, N. Y.	Veigt
Croll	Kumz	Peavey	Weller
Cullen	Lampert	Prall	
Cummings	Lilly	Quayle	

NOT VOTING—77.

Almon	Fish	Lehbach	Sanders, N. Y.
Anderson	Freeman	Lineberger	Shreve
Anthony	Fulmer	Little	Sweet
Arnold	Funk	Logan	Swoope
Black, N. Y.	Gallivan	McClintie	Taylor, Colo.
Black, Tex.	Goldsborough	McDuffie	Tilson
Bowling	Graham, Pa.	McFadden	Tincher
Boylan	Greene, Mass.	Michaelson	Tinkham
Britten	Haugen	Miller, Ill.	Treadway
Brumm	Hawes	Moore, Ill.	Vare
Cleary	Howard, Nebr.	Morin	Ward, N. C.
Cole, Ohio	Jacobstein	O'Brien	Ward, N. Y.
Connolly, Pa.	Johnson, S. Dak.	O'Connor, La.	Wertz
Corning	Jost	Phillips	White, Me.
Davis, Minn.	Kahn	Rathbone	Williams, Ill.
Deal	Knutson	Reed, W. Va.	Wyant
Dempsey	Kurtz	Reid, Ill.	Zihlman
Denison	Kvale	Rogers, N. H.	
Dickstein	LaGuardia	Romjue	
Dominick	Langley		

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Greene of Massachusetts (for) with Mr. Corning (against).
 Mr. Lineberger (for) with Mr. Dickstein (against).
 Mr. Kurtz (for) with Mr. Boylan (against).
 Mr. Wertz (for) with Mr. Black of New York (against).
 Mr. Phillips (for) with Mr. Cleary (against).
 Mr. Hawes (for) with Mr. Connolly of Pennsylvania (against).
 Mr. Davis of Minnesota (for) with Mr. O'Brien (against).
 Mr. Denison (for) with Mr. Gallivan (against).

Until further notice:

Mr. Freeman with Mr. Logan.
 Mr. Britten with Mr. Almon.
 Mr. Reid of Illinois with Mr. Fulmer.
 Mr. Shreve with Mr. Taylor of Colorado.
 Mr. Swoope with Mr. Dominick.
 Mr. Treadway with Mr. McDuffie.
 Mr. Vare with Mr. Howard of Nebraska.
 Mr. Williams of Illinois with Mr. Romjue.
 Mr. Wyant with Mr. Arnold.
 Mr. Lehbach with Mr. Deal.
 Mr. Brumm with Mr. Goldsborough.
 Mr. Fish with Mr. O'Connor of Louisiana.

Mr. Morin with Mr. Black of Texas.
 Mr. Cole of Ohio with Mr. Ward of North Carolina.
 Mr. McFadden with Mr. Jacobstein.
 Mr. Graham of Pennsylvania with Mr. Bowling.
 Mr. Michaelson with Mr. McClintic.
 Mr. Kahn with Mr. Jost.
 Mr. Johnson of South Dakota with Mr. Rogers of New Hampshire.
 Mr. Moore of Illinois with Mr. Kvale.

Mr. LITTLE. Mr. Speaker, I desire to vote "yea."

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. LITTLE. No.

The SPEAKER. The gentleman does not bring himself within the rule.

The result of the vote was announced as above recorded.

On motion of Mr. MADDEN, a motion to reconsider the vote by which the bill was passed was laid on the table.

CONGRESSIONAL ALLOTMENT OF PUBLIC DOCUMENTS.

Mr. KIESS. I call up from the Speaker's table the bill (H. R. 7039) to amend section 72 of chapter 23, printing act approved June 12, 1895, with a Senate amendment and move the adoption of the Senate amendment.

The SPEAKER. The gentleman from Pennsylvania calls up a House bill with a Senate amendment. The Clerk will report the Senate amendment.

The Senate amendment was read.

The SPEAKER. The question is on agreeing to the Senate amendment.

The Senate amendment was agreed to.

INTERIOR DEPARTMENT APPROPRIATION BILL.

Mr. CRAMTON. Mr. Speaker, I call up the conference report on the bill (H. R. 5078) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1925, and for other purposes.

The report of the conferees has been adopted and the pending amendments have all been disposed of except as to two groups.

The SPEAKER. The gentleman from Michigan calls up the conference report on the bill H. R. 5078, the Interior Department appropriation bill.

Mr. CRAMTON. Mr. Speaker, the report of the conferees has been adopted and the pending amendments have all been disposed of except as to two groups. The first group of amendments, 15 to 19, inclusive, have to do with the amount to be appropriated for construction and maintenance and operation of certain Indian irrigation projects in Montana. The second group have to do with the appropriation for maintenance of Howard University.

Mr. SNYDER. Will the gentleman yield? I would like to ask the gentleman a question with reference to the irrigation projects.

Mr. CRAMTON. Will the gentleman defer his request a moment? There will be some discussion of that.

Mr. Speaker, I ask that the first group of amendments may be considered en bloc—amendments 15 to 19—having to do with the Montana Indian irrigation projects.

Mr. BYRNES of South Carolina. Will the gentleman yield? Mr. CRAMTON. Yes.

Mr. BYRNES of South Carolina. Do I understand that they are the amendments having to do with Indian irrigation projects?

Mr. CRAMTON. Yes; and I ask that they may be considered together, and if the permission is granted I will make one motion to cover them all.

Mr. BLANTON. They are all in Montana?

Mr. CRAMTON. Yes.

The SPEAKER. The gentleman from Michigan asks unanimous consent that the amendments referred to may be considered en bloc. Is there objection? [After a pause.] The Chair hears none.

Mr. CRAMTON. I move, then, Mr. Speaker, that the House insist upon its disagreement to those amendments, and I will first yield to the gentleman from New York [Mr. SNYDER] to answer an inquiry.

Mr. SNYDER. I want to ask the gentleman if in the preparation of this bill consideration has been given to the law which provides for the payment for the use of water and whether or not that law has been enforced by the bureau and whether this appropriation is being made within that act.

Mr. CRAMTON. I am frank to say to the gentleman from New York, who is chairman of the Committee on Indian Affairs and better versed than I am in these matters, that I am not thoroughly familiar myself with the act in question, but independent of any act, just basing our action upon common sense and square dealing for the Treasury, the subcommittee went into that question somewhat to ascertain whether the cost of operation and maintenance of lands in these Indian irrigation projects, and particularly as to the land that is in white owner-

ship or operated by white lessees, whether the cost of operation and maintenance is properly paid back by the white owners and white lessees, and I was not satisfied that that was the case. We started our investigation and I think we made it plain that when they come before us next year we are going to want to know definitely and positively about those matters. I am frank to say that this year neither the Reclamation Service nor the Indian Service was in a position to give us the kind of information that the House ought to have on this question, and if the gentleman will bear with us, we think when we come in next year we will have the information.

Mr. SNYDER. Of course, I want the House to know that four years ago, I think, we put into the Indian appropriation act language something like this: "That no part of the money appropriated in this act shall be expended upon this particular project or any Indian project unless the users of the water have made a definite arrangement for payment for such use," due to the fact that after an investigation of the Indian Affairs we discovered that more than \$20,000,000 had been invested as a capital investment in these irrigation schemes. Sufficient money has not come back from that to pay the upkeep and operation of these plants, and we find also that the Indians and the whites did not know that under the reimbursable proposition under which the appropriations were made they were eventually to make those payments. Therefore, we fixed the laws that no more appropriations could be made unless these users of the water, white or Indian, had made an agreement that at some time, at least, they would pay for the use of it. I am asking whether that has been carried out.

Mr. CRAMTON. Mr. Speaker, I am very glad the gentleman has called that provision to my attention, and I hope through his action it will come to the attention of the Indian Bureau. Some further discussion of this phase will develop, I think, in the limited debate that we may have on this question.

Mr. SNYDER. I want to make one further observation for information. It was believed by the committee that made this investigation that, having invested \$20,000,000 in these various Indian irrigation schemes, the income from that ought to be sufficient to at least maintain and upkeep the plants and provide such money as might be needed for the further extension of the plants.

Mr. CRAMTON. There is a very amazing situation in Montana in reference to this, which will interest the gentleman. I understand the gentleman from Montana [Mr. EVANS] desires to debate this matter. In view of the fact that the deficiency appropriation bill is urgently waiting action, I do not plan an extended debate, but will be glad to yield to the gentleman from Montana.

Mr. EVANS of Montana. Mr. Speaker, I want recognition in my own right.

Mr. CRAMTON. But I have not yielded the floor to the gentleman from Montana for any purpose.

Mr. BLANTON. Mr. Speaker, I make the point of order that there is a preferential motion which the gentleman from Montana may make.

The SPEAKER. The Chair overrules the point of order. The gentleman from Michigan has the floor.

Mr. EVANS of Montana. Mr. Speaker, I move that the House recede and concur.

The SPEAKER. The Chair will recognize the gentleman for that purpose.

Mr. BLANTON. Mr. Speaker, that was the point of order that I made.

Mr. CRAMTON. That does not carry with it the privilege of the floor for debate.

The SPEAKER. The gentleman from Michigan has the floor, and the gentleman from Montana reserves the right to make that motion.

Mr. CRAMTON. Mr. Speaker, I yield to the gentleman from Montana for five minutes.

Mr. EVANS of Montana. Mr. Speaker, this is an irrigation project on land that was originally in the Flathead Indian Reservation. About 20 years or so ago the Congress decided to open that reservation and to reclaim a lot of the lands that were irrigable. It had the necessary surveys made and the estimates made and ascertained that it would take between six and seven million dollars to reclaim the land. They have from year to year appropriated on an average of \$250,000 or \$300,000, covering the period of some 12 or 14 years, and have now an investment out there of about \$5,000,000. They have reclaimed a considerable portion of the land. They have built large canals to carry the water that runs down the mountain side, and then there came a criticism from the Congress that we were not irrigating the land in proportion to the money invested. Then from time to time the money was taken and

used in what they call the lateral ditches, and there remains yet a lot of work to be done to build the necessary reservoir to conserve the water to use on those lands. The criticism as I understand now by the committee is that we have more acres of land to which water can be supplied than is being utilized by the farmers.

Mr. SNYDER. The criticism that this Congress makes, or that anyone would make who knows anything about the proposition, is that you did not start getting some water before you began building ditches. There are hundreds of miles of ditches and no water for them. If they had built some dams and reservoirs for water in the first place and then built the laterals I think the situation would have had more sympathy from this House.

Mr. EVANS of Montana. Of course I am not to blame for that and Congress is not to blame for that. That was an engineering undertaking and if engineers made a mistake about that Congress should not penalize those people now. They have been there from 12 to 15 years waiting for this water. They can not get title to their lands. The Government declines to give them title until they have paid for the land. They have not only to pay for the water but they have to pay for the land. It is a pitiful situation.

Mr. LITTLE. Mr. Speaker, will the gentleman yield?

Mr. EVANS of Montana. Yes.

Mr. LITTLE. If the dams were there, could sufficient water be assembled?

Mr. EVANS of Montana. Yes; there is plenty of water running to waste down the mountain side, if we could put it into the reservoirs, lakes, and the like of that.

Mr. LITTLE. That would not take very long.

Mr. EVANS of Montana. No; but this bill provides for cutting off, discontinuance of the work entirely.

Mr. LITTLE. And they have the ditches dug?

Mr. EVANS of Montana. Yes; but we have not the reservoirs. The criticism is that we can supply water to more land than is now being paid for. In other words, people are allowing the water to run by their places and are not utilizing it. To a degree there is merit in that criticism, but I think not the merit that the committee attaches to it. A man can not take a 40 or an 80-acre tract of land and put water on it the first year. Any man who knows anything about irrigation knows that that can not be done. It takes time and money and patience to reclaim land and it takes some years ordinarily to reclaim all of a farm in an irrigated project.

Mr. LITTLE. How many people live on these water rights?

Mr. EVANS of Montana. I think approximately 2,000.

Mr. LITTLE. Two thousand farms?

Mr. EVANS of Montana. Something like that, in small tracts. I think about 1,000. I know that within the limit of this reserve, which is largely fed from this reclamation project, there are at least 10,000 people and they have been there for more than 15 years.

The Government invited them to come there and said, "We will let you have this tract for so much—\$8 an acre—this tract for so much—\$10 an acre," and so forth, and they took it.

Mr. LITTLE. Have not they any other resources besides irrigable land?

Mr. EVANS of Montana. There is some land that is not irrigable.

Mr. LITTLE. Pasture lands?

Mr. EVANS of Montana. Pasture land and the like of that.

The SPEAKER. The time of the gentleman has expired.

Mr. EVANS of Montana. Just a moment. I sincerely hope this project will not be cut off—

Mr. CRAMTON. I yield the gentleman three additional minutes.

Mr. EVANS of Montana. I have no censure for the committee or for the House about this business. I think the whole thing has been badly managed by the Congress during the last 15 years. If adequate appropriations had been made, the whole thing could have been closed up five years ago. They have spent a large amount of money on the overhead, because of the delay in making adequate appropriations.

Mr. ABERNETHY. What is the amendment of the Senate?

Mr. EVANS of Montana. Three hundred thousand dollars. The Bureau of the Budget recommended \$300,000 or \$400,000, I think, for this project for this year, and certainly they should not now stop in the middle of this work. It means they will disperse the organization they have and organize a new one next year or the next to start the work again, and surely the \$5,000,000 invested ought not to go to waste.

Mr. HASTINGS. Will the gentleman yield?

Mr. EVANS of Montana. I will.

Mr. HASTINGS. What is the matter before us now; what is the recommendation of the conference committee?

Mr. EVANS of Montana. The conferees insist upon disagreeing—that there be no money spent on the project this year. The Senate put on an amendment to appropriate \$300,000 and the conferees do not agree. The gentleman in charge of the bill has moved to continue to disagree, and I offered a preferential motion which is to recede and concur.

If my motion carries, \$300,000 will be appropriated to continue the work this year.

Mr. SNYDER. Will the gentleman yield?

Mr. EVANS of Montana. I will.

Mr. SNYDER. How can the chairman of the subcommittee do anything else but disagree under the law?

Mr. EVANS of Montana. I do not know.

Mr. SNYDER. He says he can not tell the House that the department has carried out the law and that the users of the water will eventually pay for it. This money, gentlemen, is reimbursable, and no one, so far as we know, has agreed to pay any back.

Mr. EVANS of Montana. But that is not my understanding. The money is to be reimbursed.

Mr. SNYDER. We want to know whether the law is being reasonably lived up to. I am perfectly willing everything should go ahead if the money is being expended in some way that will finally do the property owners some good, but it has not been done.

Mr. EVANS of Montana. I do not think there is any doubt the money is being properly used, so why kill this project and lose the money—\$5,000,000—already expended on the same. These people are perfectly willing to pay the money back if the project is completed. There may be, indeed there are, some of them who have not complied with all the details. If necessary, put a limitation upon this appropriation, any reasonable limitation, and I will agree to it. If legislation has got to be enacted in Montana it can not be done until the legislature meets again next year. There was no legislative session this January. Now, why kill this project? I beg of you, gentlemen, to give this matter your favorable consideration at this time.

The SPEAKER. The time of the gentleman has again expired.

Mr. CRAMTON. I yield five minutes to the gentleman from Montana [Mr. LEAVITT].

Mr. LEAVITT. Mr. Speaker and gentlemen of the House, I rise in support of the motion made by the gentleman from Montana [Mr. EVANS] that we do not concur in the recommendation of the conference committee. The situation is this: There has been spent during the period of something like 15 years about \$5,000,000 in the development of an irrigation project in the Flathead Valley of Montana and about 65 per cent of that project has been completed. The question has been asked whether any arrangement has been made for the repayment of this money to the Federal Treasury. I might answer that by saying there has been paid \$125,000 in round numbers and there will be agreements which will lead to the return of every penny of this amount to the Federal Treasury. I am not going to try to claim to you that all the money has been paid which ought to have been paid under the agreement, but in connection with that I want to call attention to the situation in regard to agriculture everywhere, and particularly in that western country. I want to call attention to this fact, that during 1923 there were about 1,000 water accounts on that project and that means there are at least 1,000 families which are using that water and are dependent upon its use for making a reasonable crop. In addition to that, there were something like 60 new settlers who came in full expectation the Government was going ahead with that project, and—

Mr. CLARKE of New York. Will the gentleman yield?

Mr. LEAVITT. I will.

Mr. CLARKE of New York. Where does the water come from if there are no dams provided to store it up?

Mr. LEAVITT. That is a very pertinent question, and I want to say that some dams are provided, but it requires the completion of further storage units in connection with them, and remember this, that the storage units can not be built this year and used the next. It requires a period of at least three or four or five years for new works to settle, and therefore it is necessary that this project be completed in advance.

Mr. HUDSPETH. There is a reasonable certainty that this loan in time, at least, would be returned by these settlers in Montana, is there not?

Mr. LEAVITT. By the people on the project. There is a certainty of that. They have paid, as I say, about \$125,000, and the delay of the Federal Government in completing the

project has been the principal reason, gentlemen of the House, for the delay in the settlement of the project as well as other projects in the western country. It has been 15 years since the first people went on there, with the expectation that this project would be completed, and they have been waiting from year to year, and all efforts to colonize the area and bring people in have been held back because of the failure of the Government to go ahead and complete. The step that is contemplated now by this conference committee will go still further to discourage settlement and will delay and put far into the future all possibility of the paying back of the \$5,000,000 already expended by the Federal Government.

We can not afford to concur with the recommendations that have been made. While we are talking about a square deal with the Treasury let us think also of a square deal to the 1,000 homesteaders on that project. Let us remember that this is entirely an action of the subcommittee of the Committee on Appropriations, that the Reclamation Service asked for \$800,000, that the Bureau of the Budget agreed to \$350,000, and that the Senate of the United States has written into this measure an appropriation of \$300,000, and that the only thing that stands in the way of justice for these people and the settlement of that section in the West is the opinion of three men on this conference committee, who refuse now to agree to the settlement proposed by the Senate of the United States and put this item back in the bill where it belongs.

I ask you, gentlemen, in justice to vote "yes" on the motion that has been submitted by my colleague from Montana [Mr. EVANS].

Mr. CRAMTON. Mr. Speaker, I yielded 13 minutes to those in favor of the provision. I do not want to take up more time for myself. I wish to be notified at the end of 10 minutes.

There are three elements involved here, of which the principal one is amendment No. 16. The gentleman from Montana, Judge EVANS, desires \$300,000 for construction, operation, and maintenance, whereas the committee provides \$50,000. On Fort Peck Judge EVANS desires \$30,000 and my recommendation is \$15,000. On the Blackfoot proposition Judge EVANS desires \$50,000 and my proposition is \$20,000. There is therefore a difference of \$305,000, if I am correct in my computation, between his proposition and mine.

I want the committee and the House to understand it. My only reason for my attitude here is that I am doing that which I think it is my duty to do in view of the information before the committee, and we took particular care to get all the information we could. If it were a personal matter, there are no two Members of the House whom I would rather please than the gentlemen from Montana [Mr. LEAVITT and Mr. EVANS]. But we are not approaching the subject from that point of view, and they would not expect me to.

Now, as to the Flathead irrigation district that the gentlemen have spoken about, the situation is this: Under present constructed works there are 105,500 acres that has water available. There is actually irrigated out of that 105,500 acres only 30,800 acres.

Mr. EVANS of Montana. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. I will make the statement that the gentleman wants, if he will permit me to proceed for a moment. There is a margin of 75,000 acres. I admit that there is a question about there being enough water for the 105,500 acres, and greater reservoirs are desired in order to make it sure. But there is ample water now for more than 30,000 acres. This danger of lack of water does not take up this margin of 75,000 acres. The trouble is that country is in the shadow line between dry farming and irrigation, and there is a grave doubt in the minds of people living on those lands whether they want irrigation or not, and it is demonstrated by the fact brought out in the hearings that year by year they vary in the use of the water. The first reason why I am opposing the appropriation is that there is a lot of land now available, more than is being used; and second, those who have water brought to their gates day by day have an option under the existing conditions as to whether they will pay any maintenance charges or not. This year they may think it is going to be a dry season, and they will use the water brought by the Government, but next year may not be a dry season and they will let the water go by their gates and will not contribute a nickel to the operation charges.

Now, when these men come to the point where they are willing either to fish or cut bait, either to conduct dry farming or farming by irrigation, and pay year by year the operation and maintenance charge, we shall have a basis upon which to decide what should be done. These people have no standing here as a matter of equity. The hearings show that there are 155

Indians engaged on this reservation in irrigation, and there are 300 white owners and 402 white lessees. We have expended already \$4,500,000, and only 30,000 acres is being irrigated. There is also to be noted the fact that the operation and maintenance charges are not in full coming back.

Now, I asked Mr. Beadle, a representative of the Reclamation Service, why it was that the lands are not fully used and the charges not fully repaid. I asked him, "That is due to the fact that the projects are not fully constructed?" Mr. Beadle answered, "Yes, sir; and it is due to the fact that even the lands under ditch are not fully used"—the lands mentioned a while ago. I need not quote again the reference to the law of Montana, which confirms what I have just said. I made this statement in the hearings, in the presence of a representative of the Indian Service and a representative of the Reclamation Service:

Here is the situation about storage, as I understand it. I do not want to prove anything; I want to develop what the situation is. We have got enough water. We do not have to spend another nickel so far as the 105,000 acres that now have water rights are concerned. Ordinarily about 5 years out of 6, or 9 out of 10, or at least 2 out of 3, there is enough water for these 105,000 acres, and in those years only about one-third of that 105,000 acres will use the water. But there comes a dry season once in three years, let us say, when the rains are limited and everybody passes up the dry farming and jumps in and wants water from the project at a time when there is the least water. Therefore there arises the necessity for storage in order to have a reserve for such an occasion. So we are to go on spending millions of dollars, not to take care of the year-by-year use but to take care of the emergency needs of those who do not appreciate the water at any other time. Is that the argument for this appropriation?

Mr. LEAVITT. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. LEAVITT. Is it not true that the failure to populate and develop this irrigation project is largely due to the fact that the uncertainty of development and completion of the project keeps people from going on the project?

Mr. CRAMTON. No; it is the general pessimistic outlook after they get there. Now, let me continue—

Mr. LEAVITT. Will the gentleman permit me to complete my question?

I have lived in that country for a good many years and Judge EVANS has lived there all his life, and I think that the gentlemen who come from irrigation States know that is the fact, that uncertainty is the real cause. Now, I come to my question: If that is true, is it not better business for the Government to go ahead and complete the project so that it can be colonized, as was being done this year, when 60 new families came in?

Mr. CRAMTON. Let me answer the gentleman. Sometime it may be proper for us to complete this project; but now, when we have water available for thousands of acres which is not being used, and when those who have the water at their gates pay for it only when they feel like it, this is not the time to take from a Treasury burdened as ours is at this time a large sum of money to spend on this project.

Now, further, the department could not tell this committee what they would do with the \$300,000 if it were granted. Mr. Beadle said no program had been made by the Reclamation Bureau for the use of that money; and I asked them to put in the record a statement, after consultation between the two services, as to what program is intended under this \$300,000 appropriation, but there is nothing in the record as to that.

Now, there is also involved in this same amendment the second item for the Fort Peck project. The amount is not so large, but it is a similar situation. Let me call to your attention the fact that the adoption of Judge EVANS's amendment would cover this.

The Budget Bureau recommended \$30,000 for operation and maintenance, which we propose to cut to \$15,000. The evidence showed that of the 23,115 acres under the existing constructed works there are actually irrigated only 622 acres, and that we are paying \$30,000 a year for the operation and maintenance of 622 acres, \$50 per acre, of which only 406 acres are cultivated by Indians and 216 acres by whites. Can anyone say that I had any right, as a member of the Appropriations Committee, to recommend any such absurd figure for the operation and maintenance of 622 acres?

The whole situation was set forth by the representative of the Commissioner of Indian Affairs, Mr. Meritt, the assistant commissioner. On an earlier page Mr. Reed sets forth the fact that he has gone over this situation. He says:

There are miles of well-constructed canals and structures, such as headgates, turnouts, etc., that are not in use and have not been wet in some years except by rainfall or snowfall; and the Indians have not taken interest in it. They contend that they do not want it. On the other side, the whites have gone through the depression that other farmers have and have abandoned their farms that have been irrigated, and the place for that reason looks like a wreck.

Mr. Meritt said:

I have given the Indian irrigation projects considerable study. It has been my judgment that we should not spend large amounts of money for new construction where the land already under irrigation projects is not being fully utilized. In other words, we should utilize the irrigable lands available before we spend large sums of money on new land.

Mr. LEAVITT. May I ask this question of the gentleman?

Mr. CRAMTON. Yes.

Mr. LEAVITT. Did either Judge EVANS or myself ask for the inclusion in this motion of the Blackfoot proposition, or was that included by the gentleman in order to defeat the Flathead project, which is the one we are talking about?

Mr. CRAMTON. Well, I will say that I have bound them together because they were similar, although I do know that the gentlemen from Montana are both most interested in the larger sum involved in the Flathead proposition. I am frank to say to the House that I have not called attention to the conditions which I have outlined concerning Fort Peck so much with reference to their bearing on the \$15,000 involved there as to their bearing on the other item of \$300,000, because any argument that has been made in behalf of the Flathead Reservation is valid for the Fort Peck Reservation as well.

Mr. LEAVITT. May I disagree with the gentleman?

Mr. SNYDER. Will the gentleman tell the House how many acres are being cultivated by Indians on the Flathead project?

Mr. LEAVITT. One thousand seven hundred acres.

Mr. CRAMTON. I think that must be pretty nearly right. They say 30,811 acres out of 105,500 are actually irrigated, 2,000 acres being cultivated by Indians and the balance by whites.

Mr. SNYDER. I want to say that when this matter was under investigation during the last administration, when Mr. Cato Sells was Commissioner of Indian Affairs, he made the statement before the committee that this project was of a very questionable nature and there was some question whether it would be proper to go ahead with it or not.

Mr. CRAMTON. Mr. Speaker, I simply want to make this one further statement, which I think I can do in the minute remaining. I want the House to understand there is a difference in irrigation among Indians. There are Indians like the Pimas, who have been irrigationists since before our forefathers came to this country. There are others like the Flathead and the Indians on the Fort Peck Reservation who have no interest in irrigation and who are opposed to this development. I do not criticize the beginning of this or the securing of water rights, but I do say that in this time of financial stringency we can well afford to withhold construction until they do catch up and need more acreage than they have now. I hope, therefore, that my committee may have the support of the House and that the motion of the gentleman from Montana [Mr. EVANS] may not be agreed to, and that the House will further insist on our disagreement.

Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question comes first on the motion of the gentleman from Montana to recede and concur.

The question was taken; and on a division (demanded by Mr. EVANS) there were—ayes 31, noes 33.

So the motion to recede and concur was rejected.

Mr. CRAMTON. Mr. Speaker, a parliamentary inquiry. Does that ipso facto carry with it the motion to insist or is it necessary to put the question on the motion to insist?

The SPEAKER. The question now comes on the motion of the gentleman from Michigan to insist.

The question was taken, and the motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

For maintenance, to be used in payment of part of the salaries of the officers, professors, teachers, and other regular employees of the university, ice and stationery, the balance of which shall be paid from donations and other sources, of which sum not less than \$2,200 shall be used for normal instruction, \$125,000;

For tools, material, salaries of instructors, and other necessary expenses of the department of manual arts, \$30,000;

Medical department: For part cost of needed equipment, laboratory supplies, apparatus, and repair of laboratories and buildings, \$9,000;

For material and apparatus for chemical, physical, biological, and natural-history studies and use in laboratories of the science hall, including cases and shelving, \$5,000;

For books, shelving, furniture, and fixtures for the libraries, \$3,500;

For improvement of grounds and repairs of buildings, \$20,000;

Fuel and light: For part payment for fuel and light, Freedmen's Hospital and Howard University, \$15,000.

Mr. CRAMTON. Mr. Speaker, I move that the House recede and concur, and upon that motion I will just make this preliminary statement and then I will yield to the gentleman from South Carolina.

The appropriations for Howard University as they came to Congress from the Budget totaled something over \$800,000, being something like \$200,000 or a little less for maintenance, \$127,500 for completion of the assembly hall and gymnasium, and \$500,000 for a medical building and equipment. Your subcommittee and the Committee on Appropriations of the House recommended the completion of the assembly hall and gymnasium at \$157,500 instead of partial completion at \$127,500. We recommended \$202,500 for the maintenance of the institution, a little more than the Budget recommended in some of the smaller items.

Mr. CARTER. Will the gentleman yield?

Mr. CRAMTON. In just a moment.

But we did not recommend the item of \$500,000 for the medical building and its equipment, feeling that it was a larger increase in the appropriation for this institution than the circumstances would warrant. I now yield to the gentleman.

Mr. CARTER. The gentleman will recall that I dissented from the recommendation.

Mr. CRAMTON. I recall that, and I was very sorry, because the gentleman from Oklahoma and I work so closely together, but there have to be exceptions to all rules, and on this occasion I lost the support of my most valued friend from Oklahoma.

On the floor of the House the \$202,500 was stricken out on a point of order and went to the Senate, who restored that \$200,000 and also put in the \$500,000 item. In conference we have now agreed with the Senate conferees to the elimination of the \$500,000 for the medical building but have agreed to have this restored, if the House in its wisdom would do so, and therefore I made this motion to restore the \$202,500 item for operation and maintenance.

I yield to the gentleman from South Carolina 10 minutes.

Mr. BYRNES of South Carolina. Mr. Speaker and gentlemen of the House, when the appropriation bill was before the House I made a point of order against these items on the ground that there was no law authorizing these appropriations.

Mr. LANKFORD. Mr. Speaker, I make the point of order that there is not a quorum present. This is an important matter and I think we ought to have a quorum.

The SPEAKER. The gentleman from Georgia makes a point of order that there is no quorum present.

Mr. BYRNES of South Carolina. I ask my friend to withdraw that. I am satisfied to go ahead and discuss this matter with the gentlemen on the floor.

Mr. LANKFORD. At the gentleman's request, I will withdraw it, Mr. Speaker.

Mr. BYRNES of South Carolina. I am satisfied to present this cause to the Members on the floor at this time.

There is no law authorizing these appropriations. If the Congress is to continue to appropriate for this educational institution, it ought to have the courage to legislate and provide the manner in which these appropriations shall be made. This institution is located in the city of Washington. It is a private, educational institution established originally as a theological seminary back in 1867. It has a charter from the Congress, under which charter its board of trustees is a self-perpetuating body. It received no funds and asked for no funds of the Congress until 1873. Then when there was a financial depression they came and asked for funds for one year. The Congress was charitable and liberal enough to grant funds and like every other institution or individual that ever gets on the pay roll, they have remained on the pay roll from 1873 to this day. But for the appropriation there is absolutely no authority in the law.

A few moments ago the gentleman from Michigan [Mr. CRAMTON], in opposing the motion of the gentleman from Montana [Mr. EVANS], made the statement, in discussing a project that is authorized by law, that this is not the time to take money from the Treasury, burdened as it is. That was a true statement; and if it is true as to a project authorized by law, it certainly ought to be true as to a project that is not author-

ized by law. If Congress is to do the courageous thing, it ought to legislate and say that this one institution of all institutions in the country is to be selected to receive appropriations from the Congress. As it is located in the city of Washington, the Congress ought to say what portion of the funds should come from the revenues of the District of Columbia, because more than one-fifth of the students come from the city of Washington. Instead of doing that, from year to year these appropriations are carried in an appropriation bill. I have been asked why this particular institution is selected of all the institutions in the country to receive an appropriation from Congress. I can give no reason. If it is for the reason that it is a negro university, and Members feel that they must support a negro educational institution in order to secure negro votes, then I know of no reason why this particular institution should be selected from among all the negro institutions; why it should be selected in preference to Tuskegee, the Booker Washington institution, or in preference to the Hampton Institute of Virginia. Hampton and Tuskegee are presided over by negroes. No graduate of Howard University stands the slightest chance on earth of ever being made the president of Howard University. The same people have always managed to retain the presidency of that institution and to receive the salary that goes with the presidency. Tuskegee and Hampton Universities are doing splendid work and have made good citizens among the negroes of this country, teaching them trades instead of teaching them professions.

Mr. BLAND. Mr. Speaker, if the gentleman will permit, Hampton Institute is presided over by a white person.

Mr. BYRNES of South Carolina. Always?

Mr. BLAND. That is my understanding.

Mr. BYRNES of South Carolina. Then I withdraw the statement. Neither Hampton nor Tuskegee maintains a school of religion in connection with their institutions, and I know that no other institution having a theological seminary has ever asked for or received funds from the taxpayers of the United States through the action of the Congress of the United States.

I know that the president of that university, realizing that such an appropriation is unwise, states that no part of the funds are used for the maintenance of the theological seminary, and I make that statement in fairness to him. He says that no part of the fund is used to maintain the school of religion, but I tell you that the dollars that come from the Treasury of the United States are not marked. They go into the treasury of the university just as other funds do. More than 50 per cent of the funds of the university come from the United States Government, and when a man says the dollars that come from the Treasury of the United States are not used to maintain the theological seminary he might as well argue with equal force that they are not used to pay a professor in mathematics or a professor in law. Those funds go into the common funds of the university. The Congress ought to know, if they are going to vote for this proposition, that they are voting funds to maintain a school of religion not authorized by law, and I want to call attention to the kind of religion that is taught at that school of religion. The Rev. Francis J. Grimke, a member of the board of trustees, in an address delivered by him at the seventh annual convocation of the school of religion of Howard University on November 20, 1923, declared, among other things:

Here in this city we have a federation of churches—a federation of what kind of churches? A federation of white churches. The very fact that such a federation exists in this city shows what kind of Christianity we have here; what kind of Christianity is represented in these churches. It is not a federation of Christian churches, but a federation of white churches, which shows that these churches, consciously or unconsciously, are standing for a Christianity that lays greater emphasis upon the color of a man's skin than upon his Christian character.

Again, in the same address he said:

We have also in this city a white Y. M. C. A. and a white Y. W. C. A., from which colored people are excluded, and excluded because they are colored, because they happen to be of another race variety. The very fact of the existence of such associations is a standing reproach to the Christianity that they represent.

Further on he said:

I have very little faith in the Christianity of Mr. Woodrow Wilson; but what he says in his article, "The road away from revolution," in the August number of the Atlantic Monthly, is well worth careful consideration. "Our civilization," he says, "can not survive materially unless it is redeemed spiritually. It can be saved only by becoming permeated with the spirit of Christ and being made free and happy by the practices which spring out of that spirit."

True, true; but how can our civilization become permeated with the spirit of Christ when professing Christians, like Mr. Woodrow Wilson and Mr. William Jennings Bryan, outstanding figures in the church, go on preaching and practicing the kind of Christianity which they represent?

Again:

And there is no better place to hold up that fact than here, no better place from which to send out a message like that than here, in connection with this convocation, held under the auspices of the school of religion of this university. It is a shame, a burning shame that we are under the domination of a Christianity that discriminates against human beings, made in the image of God, and for whom Christ died, on account of race and color.

Further on he says:

And in the effort that must be made to rescue the Christianity of to-day from the spirit, the unbrotherly, un-Christian spirit that now has possession of it, if our faith is weak, and if we are not willing to go to the scaffold if need be, not willing to suffer, we won't be of much service. Very little can be expected in this great moral and religious crusade that must be waged from the timorous, the half-hearted, the cowardly.

Those are the words of the Rev. Francis J. Grimke, a member of the board of trustees of the university for which you are now asked to appropriate \$200,000 of the money of the taxpayers of America. He endeavored to arouse prejudice against the white people and incite these young negroes to acts of violence because negroes were not admitted to membership in white churches and in the Y. M. C. A. and Y. W. C. A.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of South Carolina. Yes, if the gentleman will give me three minutes more.

Mr. CRAMTON. I very gladly do that.

Mr. BYRNES of South Carolina. Then I yield.

Mr. CRAMTON. Will the gentleman object to inserting in his remarks the complete address?

Mr. BYRNES of South Carolina. I shall be very glad to do so at the end of my remarks.

Mr. Speaker, I do not hold a university responsible for a sermon or a speech delivered by any invited speaker, for whom the university assumes no responsibility, but this man is one of the board of trustees controlling this university, and if he does not speak the views of the university there ought to be a disavowal of it; and to this good day there has been no disavowal. As a private institution they can express any views they desire, if supported by private funds. But they should not denounce the white churches of America and Young Men's Christian Association and the Young Women's Christian Association and then come here and ask us to vote the money of the taxpayers of our districts for the support of such an institution. If you do, you ought to tell your constituents what you are doing. You are not contributing to the support of a school of religion in any one of the States of the Union. In your districts you have good schools that would like to receive appropriations from the Congress of the United States, which perhaps are in urgent need of appropriations. You can not get Congress to contribute a dollar for them, but you now want to go on record as giving \$300,000 to this institution. They already have in this bill \$157,000. Vote for this amendment and you give them \$200,000 more, and when you do that you place your stamp of approval on the kind of religion that is being taught by Grimke in Howard University at the expense of your constituents. So far as I am concerned, I am not willing to do it. I do not believe that the people of the United States ought to be called upon to support any school of religion. It is against the spirit, if not the letter, of the Constitution. The experience of years has proved that it is an unwise and dangerous policy. But if Congress is to continue this unwise policy and appropriate public funds to support a school of religion, certainly it should exercise some control over the institution and prevent the preaching of sermons the only effect of which can be to poison the minds of these students, arouse their prejudice against the white people of the country, make them discontented with their lot in life, and disturb the harmonious relations now existing.

The SPEAKER. The time of the gentleman from South Carolina has expired.

Mr. BYRNES of South Carolina. Mr. Speaker, I regret very much that my time has expired, because I wanted to call attention to the fact that one of the lecturers on the catalogue of the university for 1915-16, which has been forwarded to me, advertises that Mrs. Rose Pastor Stokes will during the year lecture to the students on the essentials of socialism.

Mr. MAIDEN. She is not a member of the board of trustees.

Mr. BYRNES of South Carolina. No; but she was invited by the university and advertised in the catalogue as one of the lecturers to lecture to the students of Howard University on the essentials of socialism. Of course, the Government has no control of the situation. But you are asked to select this in preference to all other institutions and appropriate \$200,000 to encourage the teaching of socialism by such people as Rose Pastor Stokes and religion by this man Grimke. That is not the kind of university for which I want to appropriate the money of the taxpayers of my district. [Applause.]

While the appropriation of \$200,000 was allowed by a vote of 200 to 103, the appropriation of \$500,000 added by the Senate for this university was defeated.

At the request of Mr. CRAMTON I insert in its entirety the sermon of Francis J. Grimke:

WHAT IS THE TROUBLE WITH THE CHRISTIANITY OF TO-DAY? THERE IS SOMETHING WRONG ABOUT IT. WHAT IS IT?

(An address delivered by the Rev. Francis J. Grimke, pastor of the Fifteenth Street Presbyterian Church, Washington, D. C., at the seventh annual convocation of the school of religion of Howard University, Washington, D. C., November 20, 1923.)

Ladies and gentlemen, in the time that I am to occupy I wish to address my remarks to the question, What is the trouble with the Christianity of to-day? There is something wrong about it; what is it? In one direction, at least, I think I know what the trouble is.

To my mind it is its hypocrisy, its manifest insincerity. It professes to believe what it does not believe; it professes to believe what it has no intention of living up to, except so far as it doesn't interfere with its selfish aims, so far as it does not run counter to its prejudices. The great indictment which Jesus Christ would make against it if He were here to-day is, "Why call ye me Lord, Lord, and do not the things which I say?"

(1) Its great deficiency, as I view it, is not in the line of its non-acceptance of Jesus Christ as the Great Teacher sent from God. It hails Him as the greatest of teachers. It has studied, and studied very carefully, all the things that He has said. Every word that fell from His lips, as handed down in the Scriptures, it knows and knows the meaning of. Volumes have been written extolling Him as teacher and expounding His words, setting forth His ideals and principles. The Christianity of to-day is not deficient in knowledge of what Jesus said, of what was clearly in His mind as to the principles that were to have sway in His kingdom. He not only while He was on earth outlined what those principles and ideas were, but after He had gone, in accordance with His promise, sent the Holy Spirit to guide the apostles in unfolding those principles. No one can read the 21 Epistles of the New Testament and fail to see exactly what is involved in the teachings of Jesus Christ. Everything is set forth clearly, line upon line, precept upon precept, here a little and there a little. The Christianity of to-day knows perfectly well what is required of it, what it ought to be, and what it ought to do.

(2) Its great deficiency, as I see it, is not in its nonacceptance of Jesus Christ as priest. It makes much of His atoning blood; it magnifies the cross of Christ as the great sacrifice for sin. "As Moses lifted up the serpent in the wilderness, even so must the Son of man be lifted up that whosoever believeth on Him should not perish, but have everlasting life," it preaches. It believes that Jesus is the only mediator between God and man and that His blood cleanses from all sin.

On these two points it seems to be mainly or largely right; but when we go a step further and think of Jesus Christ as king we find that it is far from being right. The one thing which it does not acknowledge, except in a halting, hypocritical way, is the right of Jesus Christ to control its action, to say what it shall do and what it shall not do. It has never learned and shows no disposition to learn the great lesson which God taught centuries ago through Samuel, "To obey is better than sacrifice, and to hearken than the fat of rams." The Christianity of to-day is a Christianity that makes no serious effort to carry out the whole counsel of God, to live up to the full requirements of His most holy and righteous laws. Its attitude toward these requirements is precisely that of the bootlegger and the whole criminal gang represented by the liquor power in this country in regard to the eighteenth amendment and the Volstead Act; it chooses among these God-given requirements which it will carry out and which it will not. When its prejudices are crossed, its selfish interests interfered with, it sidetracks the law of God, it shuts its eyes to the violation of the most sacred and fundamental principles laid down by the founder of Christianity. It professes, e. g., to believe in the fatherhood of God and the brotherhood of man—these are both vital and fundamental principles in Christianity—and straightway, in the face of these principles, everywhere is setting up barriers against men on account of race and color.

Here in this city we have a federation of churches—a federation of what kind of churches? A federation of white churches. The very fact that such a federation exists in this city shows what kind of

Christianity we have here, what kind of Christianity is represented in these churches. It is not a federation of Christian churches, but a federation of white churches, which shows that these churches, consciously or unconsciously, are standing for a Christianity that lays greater emphasis upon the color of a man's skin than upon his Christian character.

What right has any group of churches, calling itself Christian, to set up barriers against another group on account of race or color? When the Christianity of to-day comes to recognize fully the authority of Jesus Christ in all that it does; when it turns a deaf ear to every other consideration except the will of Jesus, as Lord, there will be no white churches, nor white federation of churches; nor will there be any colored churches, or colored federation of churches. All churches and all federations of churches will be open alike to all who are Christians without distinction of race, color, or condition.

We have also in this city a white Y. M. C. A. and a white Y. W. C. A., from which colored people are excluded, and excluded because they are colored, because they happen to be of another race variety. The very fact of the existence of such associations is a standing reproach to the Christianity that they represent. What right has any so-called Christian association to draw the color line on anyone? It may have the right as an association to do so, but not as long as it bears the name Christian. That name, that sacred name, forbids all such distinctions. And the man who does not see that it does, is either a fool or is woefully ignorant of what Christianity really is and what it teaches. Surely the wayfaring man, though a fool, if he knows anything about Christianity, the Christianity which Jesus taught and lived, knows that such distinctions are entirely out of place in a Christian organization.

And the reason why such distinctions exist and why they continue to exist is because the church has persistently refused to render to Jesus the obedience which is His due. He speaks—speaks in His beautiful spirit, in His noble character and life, in the great principles and ideals set forth by Him; but the church will not hear, or, rather, hears but will not obey. The evil within it overpowers the good. It listens, as Eve did, to the tempter instead of to the voice of God.

Only within this present month, just about two weeks ago, a thing occurred in this city which will help to throw some light upon the character of our present-day Christianity. A professor in this university, the dean of one of the colleges, a gentleman, a scholar, a man worthy of the highest respect, a man fit to live in the choicest section of any city in the country, was waited upon by 500 of his white neighbors, men and women, and told to get out of his own house, purchased with his own hard earnings. And why? Not because he was a criminal, a thief, a penitentiary convict, a bootlegger; not because his moral character was such as to render his presence in the neighborhood undesirable—he is, in every respect, the peer, if not the superior of every man and woman in that crowd who waited on him—but he was ordered out simply because he happened to be identified with the colored race. The color of his skin was his only offense.

And strange to say, but it is not strange, the meeting where the resolutions were passed decreeing his expulsion was held in the United Brethren Church, a Christian organization. And we are further told, after forming in line, the 500 men and women as they marched to the residence of this colored gentleman sang:

"Onward, Christian soldiers,
Marching as to war,
With the cross of Jesus
Going on before."

Imagine, if you can, the cross of Jesus going on before in pursuit of any such infamous undertaking as that.

When this outrage on this highly respectable and law-abiding citizen was reported in the papers the next morning, did the entire Christian community, in the name of Jesus Christ and of common decency, rise up and solemnly denounce the outrage? No! No! Not a word of disapproval, of condemnation was heard; nor has any been heard since.

The fact that such a demonstration could take place in a so-called Christian community, and could take place without being condemned, and the fact that those who fomented the agitation were permitted to meet and lay their plans in a Christian church, show clearly the kind of Christianity that we are up against; how far, far removed it is from the spirit and teachings of Jesus Christ.

So that if I am asked, What is the matter with the Christianity of to-day? My answer is, Its lack of the spirit of Jesus Christ; its lack of obedience to the revealed will of God; its failure to recognize, except in part only, the kingship of Jesus Christ. A Christianity that is deficient, as present-day Christianity is, in the spirit of obedience to Christ is a Christianity under which all kinds of evil may be expected to exist. Race prejudice and every other evil that is cursing the world to-day would speedily disappear if the men and women professing to be Christians, some forty millions in this country alone, would honestly, without equivocation, without reservation, make up their minds to obey Jesus Christ, to be true to Christian ideals and principles. As long as we have a Christianity that is content with

saying, "Lord, Lord," but do not the things which Jesus enjoins, conditions will continue as they are, the world will go on its way to the devil, and the church with it.

The only hope for the world, as I see it, is in a better type of Christianity. And there never will be a better type of Christianity until the spirit which says: "Not my will, but Thine be done." "Speak, Lord, for Thy servant heareth," takes possession of it. We can not serve God and mammon; we can not serve God and the devil; we can not be true to God and to our prejudices. And that is the lesson which the church is so slow to learn. John Wesley said:

"If I had 300 men who feared nothing but God, hated nothing but sin, and were determined to know nothing among men but Jesus and Him crucified, I would set the world on fire."

What could not the 40,000,000 of professing Christians in this country do, in correcting evils that are everywhere about us, if they were what they profess to be; if they were loyal to the King in whose service they are supposed to be enlisted? The world will never be what it ought to be until there is brought to bear upon it a Christianity that sincerely, honestly aims, and as sincerely and honestly strives to bring every thought and every imagination into captivity to Jesus Christ as Lord. It must be a Christianity that knows nothing among men but Jesus Christ; nothing among men but Jesus Christ as prophet, as priest, as King. If His kingship doesn't enter into it; if He is not really the power that is ruling in it, it will be powerless to save a lost world; it will be no better than the present brand of Christianity.

I have very little faith in the Christianity of Mr. Woodrow Wilson; but what he says in his article, "The road away from revolution," in the August number of the Atlantic Monthly, is well worth careful consideration. "Our civilization," he says, "can not survive materially unless it is redeemed spiritually. It can be saved only by becoming permeated with the spirit of Christ and being made free and happy by the practices which spring out of that spirit."

True, true; but how can our civilization become permeated with the spirit of Christ, when professing Christians, like Mr. Woodrow Wilson and Mr. William Jennings Bryan, outstanding figures in the church, go on preaching and practicing the kind of Christianity which they represent? How can our civilization become permeated with the spirit of Christ, when the church itself, the visible representative of Christ, is not permeated with it? In the cowardly roll which it is playing to-day; in the ignoble surrender which it is making to the forces of evil, it is not only playing false to Jesus Christ its Lord, but is also imperiling the most sacred interests of humanity. Its value to the world is and will be just in proportion as it is loyal to the spirit, the principles, the ideals of Jesus Christ. There can be no halfway acceptance of these ideals and principles. It must accept all of them or none of them, the whole of Christ or none of Christ, if it is to do effectively the work to which it is called of God.

That is the way I feel about it. I may be all wrong, of course; Jesus Christ may never have intended His followers to follow Him, to conform to His spirit and teachings; He may have meant for them simply to look over His scheme of life and pick out of it so much of it as suits their fancy, their whims and caprices, their likes and dislikes, and let the rest go. If so, then the present-day Christianity is all right, and things will go on as they are, will never be any better than they are. A cowardly, time-serving, unbrotherly, stiff-necked, uncircumcised, color-prejudiced Christianity can never save this world, can never bring it to Christ—a world two-thirds of the inhabitants of which are not white but colored.

A man said to me not long ago—we were studying a book, *Money and Acid Test*—"Doctor Grimke, so far as the white man's religion is concerned, the acid test is not money, but his attitude toward the colored man." And what he said is true. The white man's Christianity will never be what it ought to be until it is big enough, broad enough to forget the color of a man's skin or his race variety, until it rises superior to the spirit of colorphobia, with which it is at present afflicted. And there is no better place to hold up that fact than here, no better place from which to send out a message like that than here, in connection with this convocation, held under the auspices of the school of religion of this university. It is a shame, a burning shame, that we are under the domination of a Christianity that discriminates against human beings, made in the image of God, and for whom Christ died, on account of race and color! And, as a convocation, let us say so; and say it, not with bated breath but boldly; say it in the fear of God; say it as ambassadors of God. The heathen may rage; but we know, as well as we know anything, that this attitude of present-day Christianity is wrong, abominably wrong, and that God can not and does not approve of it. And if we fail to say so, and fail to do all we can to bring about a change, we, too, are traitors to God and to humanity; we, too, are utterly unworthy to bear the name Christian.

I know, of course, what will be said: You are a pessimist. It may be that I am. Isaiah was, doubtless, regarded as a pessimist in his day, when he lifted up his voice like a trumpet and cried aloud:

"What unto me is the multitude of your sacrifices? said Jehovah; I have had enough of the burnt offerings of rams and the fat of fed beasts; and I delight not in the blood of bullocks, or of lambs, or of he-goats. When ye come to appear before me, who hath required this at your hands, to trample my courts? Bring no more vain oblations; incense is an abomination unto me; new moons and sabbaths, the calling of assemblies, I can not away with; iniquity and the solemn meeting."

John the Baptist was, doubtless, regarded as a pessimist when he said to the scribes and Pharisees, the officials of the Jewish church, who came out to hear him, "Generation of vipers, who hath warned you to flee from the wrath to come. Bring forth fruits meet for repentance." And Jesus Christ himself was, doubtless, regarded as a pessimist when, in that memorable address of His, in the twenty-third chapter of Matthew, He cried out:

"Woe unto you, scribes and Pharisees, hypocrites! for ye compass sea and land to make one proselyte; and when he is become so, ye make him twofold more a son of hell than yourselves."

If that is pessimism, then the more of it we have the better, the sooner there will be change for the better.

If to call present-day Christianity to an account for its lack of the spirit of Christ, in its shameful attitude on the race question, is to be a pessimist, then let us hope that there may be pessimists springing up all over the land and in all of the churches. That is the kind of pessimism that is needed, the kind of pessimism that has been back of all the moral and religious reforms that have taken place in the world. In spite of what may be said, in spite of being called pessimists, there is nothing for us to do but to go on upbraiding the church with its inconsistency, its unbrotherly, un-Christian spirit, until it either ceases to call itself Christian or makes up its mind to square its actions with its professed ideals and principles.

These are my sentiments. There is where I stand. There is where I expect to stand until there is a change for the better.

A word now, in closing, by way of application. What can we do to help bring about such a Christianity? We may not be able to do very much, but one thing we can all do, we can enthroned Jesus Christ in our own hearts; we can make up our minds to be true to Him and to His principles and ideals, never mind how unpopular it may be or how unpleasant it may be made for us. We can not hope to do much toward improving the Christianity of to-day if we are cowards, if we are afraid to stand up for what we believe to be right, to be in harmony with the teachings of Jesus Christ. We want men, must have them, not only of convictions but men of courage who will stand up and be counted in the struggle between what is Christian and what is not.

"Truth forever on the scaffold,
Wrong forever on the throne,
Yet that scaffold sways the future,
And behind the dim unknown
Standeth God within the shadow
Keeping watch above his own."

So wrote James Russell Lowell during the great antislavery struggle in this country. (And in the effort that must be made to rescue the Christianity of to-day from the spirit—the unbrotherly, un-Christian spirit—that now has possession of it, if our faith is weak and if we are not willing to go to the scaffold if need be, not willing to suffer, we won't be of much service. Very little can be expected in this great moral and religious crusade that must be waged from the timorous, the half-hearted, the cowardly.) Within the next few years much, very much, will depend upon whether we are to have a better type of Christianity, a Christianity that will ring true every time and everywhere to the principles of Jesus Christ, or whether we are to have the same old, narrow, prejudiced, unbrotherly Christianity that we have to-day. Let us hope that a change for the better will come, and come speedily; and let us, one and all, make up our minds to do all that we can to hasten it.

I clipped from one of our magazines some time ago the following lines, entitled "Our fellowship":

"Not dependent on identity of theological opinion,
Nor on outward circumstances, nor of denominational name;
But growing from a common loyalty to Jesus Christ,
A common passion to serve the world,
A common purpose to do justly, to love kindness,
And to walk humbly with God."

That, it seems to me, furnishes a most excellent program for improving the type of our present-day Christianity. It is for us all to catch the spirit of it and to live under its great and inspiring influence.

Mr. LOWREY. Mr. Chairman, the question before us is simply this: Shall the Congress appropriate from the funds of the people \$365,000 for the benefit of Howard University, theoretically a private institution, maintained here in the National Capital for the higher education of negroes?

First. The money does not belong to us. It is a fund which the people of this country have under their taxing laws brought together for the purpose of maintaining government. In our hands it is simply a trust fund which the people have committed to us, to be administered for the purposes for which it is collected. If we administer it otherwise we misappropriate trust funds.

To appropriate to this school is, in my opinion, unnecessary, unwise, unjust, and unconstitutional. To be perfectly candid, I hardly think the Negro race at their present stage of advancement need a great central university. I believe the consensus of opinion of their own wisest and best leaders is the need for good elementary schools, with normals for training their teachers, church schools for educating their religious leaders, industrial academies, and some larger industrial institutions, like Tuskegee and Hampton. These they have already. In every Southern State we, the white people, are contributing liberally to the support of negro common schools.

In almost every county the money paid to maintain schools for negro children is far beyond the proportion of tax which the negroes pay. In addition to this every Southern State supports a school of higher grade for negroes, and most of them support two or three such schools. And then there are the private and church schools, institutes, academies, and colleges by the score. In my own State, according to the report of the Department of the Interior in 1916, we have 47 such schools, at least a dozen of which are of recognized standing. In the Southern States there are more than 200 of them listed as being for "higher education." This of course does not mean higher classical education, but in many instances it means higher practical education of the first order.

In the North, too, you people are providing for your "colored friends" after a pretty acceptable fashion, though we do not expect you to befriend the negro or to understand him as we do. At least he does not suffer for college and university opportunities in the North, because you admit him to your great universities on a par with white students.

I therefore conclude that the education of the race would not be a hopeless question if they had no great university in Washington. Some one asked from the floor of this House in consternation, "If we fail to make this appropriation, what would become of Howard?" Well, now, let us look at that sensibly for a minute. Why might it not be supported by philanthropy and student fees, just as scores of great schools are supported for both races. A Washington negro boasted to me with just pride that his race pays tax on \$20,000,000 worth of property in Washington. And the census of 1920 gives them nearly \$700,000,000 worth of land in the 11 Southern States.

The figures for the rest of the country do not seem to be available, but they must swell the total considerably. I imagine that in Harlem, in New York City, negroes must own property reaching immense value. The same must be true in sections of Chicago, Philadelphia, Baltimore, and Indianapolis and in like degree throughout many northern and eastern cities.

With all this wealth, why not give them a chance to stand on their own feet a little and provide for this great school for themselves? After all the boast made about their splendid progress, are they still to be treated as a race of babes, and is our Federal Government to carry them forever in arms of paternalism?

The gentleman from Michigan [Mr. Cramton] refers to the fact that in the last campaign made for voluntary contributions to this school \$5 out of every \$6 contributed was given by alumni. And he turns triumphantly on us southern Democrats and asks, "Where were you then, that you did not help?" In answer to his "unpertinent" question I would say we were down in our southern homes paying our taxes to maintain negro schools, contributing voluntarily to the maintenance of negro churches, and befriending the negro generally in a way that some other people can not comprehend and know nothing about. The average white man in the South does more and sacrifices more to help the negro in a year than most of you gentlemen do in a lifetime.

But it seems to me more pertinent that we should ask, "Where were you then with your own money, you Congressmen who are so solicitous about the education of the negro in other communities and about the vote of the negro in your own communities; you who are now so anxious to give the people's money to this worthy cause?" Somehow I can not help having more admiration for the liberality of the man who gives his own money expecting no return than for the liberality of the man who gives the other fellow's money, expecting a return to Congress.

I believe that every man ought to be forever damned politically who buys votes with his own money, but it will be more

tolerable in the day of judgment for that man than for the man who, intrusted with the power of taxation and appropriation, buys votes with the people's money. Understand, I do not accuse every man who votes for this appropriation of political motives, but in my heart I am very sure that it would be defeated if every man could absolutely forget the weight of the negro vote in doubtful States and districts.

Again, as I said, this appropriation is unjust. Here is Howard University with its great negro student body, three-fourths perhaps of whom live in Washington. Across over the city is George Washington University, with its great student body of young white men and women gathered from all over the land. Most of them work eight hours a day to make living expenses and attend school in the evening hours, paying for that privilege high tuition charges. You ask me to tax this second student body, along with the other people of the country, to build up the first institution whose tuition charges are almost nominal. The second institution struggles and presses a hard campaign for funds which are desperately needed, while Congress at a stroke gives the first institution enough money to build an average college.

A similar comparison might be made between Howard and a score of negro schools in the South. How can we justify this discrimination against all the others in favor of one which happens to be in the Capital City?

And one other consideration: My district this year is devastated by the boll weevil. Many of my colleagues represent wheat districts, where conditions are just as bad. Many hard-working farmers have lost their homes to satisfy debts. One-fifth of all the farms in the country have been sold within the last two years. In these hard times that means that most of them were sold because they had to be sold.

Many farmers have found it impossible even to borrow money to pay their taxes. Others have been unable to get books and clothing to keep their children in short-term public schools. Under a vicious tariff system and a blind foreign policy this Republican administration has crushed the American farmer as certainly as if it had started out with that deliberate intent. And now you ask for more tax money to provide university education for Washington negroes. The very thought is iniquity.

But if this appropriation were just would it be wise? A Washington citizen who was reared in a northern State said to me recently:

Colored people are up against a hard proposition when they get herded together in a large city. The best place for them is on the farms.

I am not quoting my own opinion; I am quoting the opinion of a prominent northern man. I might quote the same opinion from prominent negro leaders. Every man before me who has really observed conditions in Cincinnati, Philadelphia, Chicago, and other such cities knows something of what the large accumulation of negroes in parts of these cities has meant socially, economically, and politically. From two men who are among the most prominent Republicans in the State of Indiana I have had rather lurid statements as to what the large negro population in Indianapolis has meant to their State capital. In several northern cities race relations have become so tense as to result in general burning of negro quarters and in wholesale murder—when it happens to individuals in the South they call it lynching—and expulsion. We have not forgotten some modern history of Washington along that line. I have heard able Republican Members of this House, men from northern States, object to the franchise for the District of Columbia because of the negroes here, reasoning that we could not thus risk bringing our National Capital under black domination.

Now, it is absolutely certain that the more we make Washington a center of negro education the more will it become a mecca for negro population. "With charity for all and malice toward none," is that good for either negroes or whites, for either the Capital City or the Nation?

But, finally, I believe appropriations of this sort to be contrary to both the spirit and the letter of the Constitution. The Constitution prescribes the powers of Congress and the general purposes for which we may appropriate. No appropriation for a university is suggested, especially for a university under semi-private control, maintained for a special class within the population. A committee brought into the Constitutional Convention a provision for the establishing of a great general university, open to all, and the framers of the Constitution rejected even that. Certainly the appropriation of Government funds to a school in which the Government owes no interest and over which it holds no shadow of control is lawless and unlawful.

So far as I recall, only one man in this debate has even attempted to defend this appropriation from a constitutional or legal standpoint. The gentleman from Ohio [Mr. BURTON] did make the appeal to precedent. He claims as sufficient legal ground the fact that Congress in its wisdom began appropriating to this school in 1878 and has kept it up for half a century. The same kind of argument, by the way, would have perpetuated witch burning, slavery, and the saloon. All these were maintained by law for more than 50 years.

But I remind our friend that in 1873 Congress, when dealing with the negro question, was not doing things "in its wisdom." It was doing things in startling unwisdom, as the world now agrees. Those were the days of the Freedman's Bureau, the heartless reconstruction, the carpetbagger, and the full enfranchisement of the millions of degraded and illiterate recently liberated slaves—the tragedies and crimes of our country's political history. God pity us if we are to look there for wisdom or for congressional acts worthy to be made our guiding precedents.

Mr. CRAMTON. Mr. Speaker, I yield 10 minutes to the gentleman from Illinois [Mr. MADDEN].

Mr. MADDEN. At the outset, Mr. Speaker and gentlemen I admit, of course, that there is no law authorizing the appropriation for the maintenance and upkeep of Howard University, but the Congress in its wisdom has been doing this every year for more than 50 years. It began at the close of the war and we have continued ever since. If there is any work connected with the Government that justifies itself, it is that very work of helping to maintain this great institution of learning. The Southern States contribute directly to the maintenance of their universities, but they do not allow any colored men to attend the universities of the South.

Mr. LARSEN of Georgia. Will the gentleman allow me to correct him right there?

Mr. ABERNETHY. The gentleman is in error.

Mr. LARSEN of Georgia. In the State University at Georgia we have the Clark University at Savannah, Ga., and under State supervision with the same chancellor and supported by the State, at which colored students attend.

Mr. MADDEN. The time has come when I think we ought to answer the gentlemen who live in the Southern States when they denounce the propriety or wisdom or right of the Government to make a contribution to this institution for the education of those who, in a sense, are ostracized from all institutions of learning outside by our race. We who have control of the Government have a responsibility for action, and when I say that I mean the race to which we belong, and in admitting that responsibility we must be fair, we must be just, we must be discriminating, and we must not so act as to humiliate the people of another great race struggling in our midst for existence. It should be our duty as well as our pleasure to do everything within our power to promote the well-being, the happiness, and prosperity of those people. They are an essential part of the people of America. The prosperity of the Nation should be maintained, and I think I can venture the statement without fear of successful contradiction that within the last two or three years the people of the South itself have discovered a greater need for the people of the black race than ever before. They have discovered themselves that it is essential to give more consideration to the well-being of the colored people of the South than they have been willing to give before. Now, why should you object to the favorable consideration that is being given to this problem? Are you afraid to educate the Negro? Do you want to keep him in ignorance? Do you want to prevent him from becoming a factor in the commercial and industrial life of the Nation? Objection has been made from time to time against the appropriation of funds for the maintenance of Howard University, and opposition to this proposal at this time is not the only opposition that has been made by the gentleman from South Carolina, and I undertake to say without being certain as to the truth of what I say he has objected to this proposal before. This is not the first occasion. He does not believe in the advancement of the colored race.

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. MADDEN. I will modify the statement to meet the gentleman's views.

Mr. BYRNES of South Carolina. The gentleman is mistaken. The gentleman from Illinois said a while ago that all the Southern States have no negro universities. I desire to say to the gentleman that in the State of South Carolina there is a negro university, and the taxpayers of the State contribute to the support of that university, and in practically every Southern State I know anything about that is true.

Mr. CLARK of Florida. Mr. Speaker, will the gentleman yield for just a word?

Mr. MADDEN. Yes, indeed. I do not want to do any injustice to any section.

Mr. CLARK of Florida. In Florida we have a university for colored youth, supported out of the funds of the State, at Tallahassee.

Mr. MADDEN. The statement made by my friend, the gentleman from South Carolina [Mr. BYRNES], of the Committee on Appropriations, was to the effect that this is a local institution, if I recall what he said. It is not a local institution. It is a national institution. I think that there is greater need for this nation-wide opportunity for the higher education of the colored men and women of the Nation than there is for any other activity in which the people of the United States are engaged. We need not be afraid of the colored men and colored women. There are no socialists among them, no anarchists. They are law-abiding citizens. There never was an hour when the Nation needed defense when they did not volunteer their lives to preserve the Nation and its honor, and we should not now repudiate an appropriation intended to maintain this great national institution of learning which the colored people themselves are unable to maintain.

Now, what was the objection to the appropriation? Why was this point of order made? Presumably it was made because there is no law to authorize it. Of course, that is the only reason a point of order could be made. Senator SMOOT, in the Senate hearings on this bill, asked on what ground objection was made, and Senator MCKELLAR asked, "Why was a point of order made?" This was the answer given:

Doctor DURKEE. I can only answer, sir, from reading the RECORD of the House for the day. As I understand, the gentleman who made the point of order made it on the proposition that a clergyman came up to the university some few weeks ago at a convocation of clergymen, and in a meeting held in the chapel, at which there were between 50 and 60 clergymen and a few of the students of the school of religion only, this clergyman made an address, to which the gentleman of the House took exception and said that with such a statement as that he felt justified in raising the point of order.

Senator SMOOT. Was this clergyman a member of the faculty of Howard University?

Doctor DURKEE. No, sir; the clergyman is not a member of the faculty.

Senator SMOOT. Is he in any way connected with it?

Doctor DURKEE. He is a trustee of the university. He is a man who has been for 40 years pastor of the Fifteenth Street Presbyterian Church in this city, a man of wonderful balance, a man of great heart, a man who has stood for the finest and best things in his race.

Senator MCKELLAR. Is the language that is quoted here on pages 1659 and 1666 of the RECORD indorsed by you?

Doctor DURKEE. Will you kindly, sir, allow me to see it? I do not know just what it is.

Senator SMOOT. It is the statement that was read into the RECORD by Mr. BYRNES of South Carolina.

Doctor DURKEE (reading):

"I have very little faith in the Christianity of Mr. Woodrow Wilson."

Is that what you refer to?

Senator MCKELLAR. Yes.

Doctor DURKEE. I am very frank to say that I do not agree with a statement like that, because I have had very profound respect for the Christianity of Mr. Woodrow Wilson.

Senator MCKELLAR. I do not mean that alone; but take the other quotations that he makes there. Do you approve of those? Just look over it a minute.

Doctor DURKEE. I have not read through his full article; but, as I understand it, the clergyman makes the general proposition that if Christian people can not agree, irrespective of color, then there is something wrong with the Christianity on the one side or the other. In other words, he objects to an attempt to establish a certain kind of Christianity for one race and another kind of Christianity for another race. That is the way I interpret it as I have read this article.

I think I can agree to that statement. There is something wrong if you can not agree. We are all trying to get to the same place. We are going by different routes. We all have our particular views as to what form of religious worship we shall follow. One belongs to the Methodist Church and one belongs to the Presbyterian Church and one belongs to the Congregationalist Church; one to this church and one to that. Each one hopes to reach the judgment seat of God upon a right road; but each road, according to their individual view, is the right road, and they are not going by the same road.

The SPEAKER pro tempore. The time of the gentleman from Illinois has expired.

Mr. CRAMTON. I yield to the gentleman five minutes more.

The SPEAKER pro tempore. The gentleman from Illinois is recognized for five minutes more.

Mr. MADDEN. In other words, he objects to an attempt to establish one kind of Christianity for one race and another kind for another race. That is what Mr. Grimke said. I read further:

Senator McKellar. No; he seems to have the view, as I judge from reading it, that it is a shame that the two races in Christian society are not commingled.

Doctor Durkee. Well, that may be true, sir. I did not interpret it in that way. Of course, each of us has his own sense of what may be right or true as far as we ourselves are concerned.

Senator Smoot. If you will read that statement made before the one that has been quoted, that statement shows the substance of what the Senator has just said.

Doctor Durkee. Have I answered you, sir?

Senator McKellar. I was just wondering whether you, as the presiding officer of the institution, approved of that view.

Doctor Durkee. Well, I think it is hardly necessary for me to approve or disapprove a statement of a gentleman who would come up on the campus simply to express his own views. Surely the university as a whole can not be held responsible for the views of an individual man who merely comes up there to make an address. I myself very frankly do not agree that one can not be a Christian man and yet not hold some views that another man who calls himself a Christian man holds. I state very frankly that each of us, according to our interpretation and our views of life, may hold views that fit his own conception of things. That is a general statement.

Now, I think if there is any politics in this, outside of the religious fervor which seems to have prompted the gentleman from South Carolina to make the objection to the appropriation when he made the point of order, he ought to be reminded of the fact that Mr. Grimke is a Democrat.

Mr. BYRNES of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BYRNES of South Carolina. I do not know his politics, nor do I care; but the gentleman missed the point, that Mr. Grimke is a member of the board of trustees.

Mr. MADDEN. He was not speaking to the university. He was speaking on the campus to a delegation of ministers, and there happened to be some students there.

Mr. BYRNES of South Carolina. If the gentleman will look for the facts as they were distributed all over the country, he will see that Mr. Grimke was addressing a school of religion.

Mr. MADDEN. I am not defending one who will preach law violation, whether Mr. Grimke or anybody else. I am in favor of law enforcement in the strictest sense of the word, whether it be the enforcement of the law with respect to religion, or the enforcement of the law with respect to prohibition, or the enforcement of the law with respect to taking life unjustly. I am in favor of the strong hand of the law being held against every violator of the law, and I am not in favor of allowing men to preach the doctrine of law violation. But I think the gentleman from South Carolina overreached the mark when he said that a sermon preached to these preachers on the campus of Howard University should hold Howard University and its management responsible for what some one said who can not be controlled by the university itself.

Mr. CRAMTON. Mr. Speaker, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. CRAMTON. Since there was a reference to our late President Wilson in that address, does the gentleman from Illinois know anything about the politics of Rev. Mr. Grimke?

Mr. MADDEN. He is a Democrat; I said that, and I had him say that to me and to a committee of this House. One day there was a meeting of a committee, of which I was a member, some years since, where it was proposed to pass a bill to segregate the black people from the white people in the departments of the Government. Mr. Grimke came before the committee to protest; I asked Mr. Grimke what his politics were, and he said he was a Democrat. I said I did not understand how a man of his race could be a Democrat.

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. BYRNES of South Carolina. The "gentleman from South Carolina" said nothing about the political affiliations of anybody in connection with this matter. I think the gentleman will agree to that. What I said was that when any man, who is a member of the board of trustees of this university, denounces the white churches, the Y. M. C. A., the Y. W. C. A.,

he ought not to be a member of the board of trustees of Howard University.

Mr. MADDEN. That is another thing. We are dealing with this appropriation. The mere fact that he made this statement—wrong though it may be—does not justify us in depriving the university of an appropriation in order to help it maintain an institution of learning for the people who are unable to meet their expenses. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. CRAMTON. Mr. Speaker, I yield three minutes to the gentleman from Ohio [Mr. BURTON].

The SPEAKER. The gentleman from Ohio is recognized for three minutes.

Mr. BURTON. Mr. Speaker, I regret there is not a larger attendance here this afternoon. I regard this question of extreme importance. An appropriation has been made for Howard University every year, beginning in the year 1873. If that does not have as much force as a statute would have, I can hardly understand the reason why.

We should make this appropriation, in the first place, on the ground of humanity. Howard University is the only institution of its kind in the United States; it is practically the only institution available to the colored race that has a medical and dental school. The statistics show that the number of physicians who take care of that race is extremely small; that while there is one white physician for every 553 persons of the white race, there is one colored physician to every 3,194 persons of the colored race. The proportion of dentists is even smaller.

This medical school is the principal professional school, although perhaps the law school equals it. As regards the theological school, that is of minor importance.

I very strongly condemn the language of the man who made this very peculiar address, but there are some of us who think that if a man of that race is a Democrat his mental processes would be wrong and that he would undoubtedly say something which would be very peculiar. [Applause.] But I do not think the institution should be condemned on that ground.

Mr. BYRNES of South Carolina. Will the gentleman yield?

Mr. BURTON. I have only three minutes.

Mr. BYRNES of South Carolina. I think the gentleman from Michigan will give the gentleman from Ohio an additional two minutes in order that I may ask him a question.

Mr. CRAMTON. I shall be glad to yield the gentleman two additional minutes if he desires them, but I do not want to take up too much time on this matter.

Mr. BYRNES of South Carolina. I only want to say this: When Grimke, this preacher in question, was delivering this sermon you will notice that when he referred to outstanding Christians he mentioned only Wilson and Bryan because he could not think of any Republicans to mention as being outstanding Christians. [Laughter and applause.]

Mr. BURTON. Maybe. There are 12,000,000 of these people here; they are not the dominant race. What do your amendments mean to them? What does the promise of citizenship mean to them in large areas in this country? But they are here, and the more fortunate race should in every way provide for them just as far as possible. I urge that this appropriation be continued on the ground of humanity and because of that consideration which a stronger race should have for a less fortunate race.

The SPEAKER. The time of the gentleman has expired.

Mr. CRAMTON. Mr. Speaker, I yield three minutes to my colleague, the gentleman from Oklahoma [Mr. CARTER].

The SPEAKER. The gentleman from Oklahoma is recognized for three minutes.

Mr. CARTER. Mr. Speaker, the Senate amendment under consideration provides for maintenance, improvements, and so forth, of Howard University. Howard University is a privately owned negro school, having no connection with the Federal Government. I did not agree with the committee on the Howard University item. I disagreed not on account of any prejudice against the colored race but I disagreed for the reason that under the parliamentary practices of this House and this Congress the item has no place in this bill.

Mr. DYER. Will the gentleman yield?

Mr. CARTER. I will be very glad to yield.

Mr. DYER. This is the same item we have had for 40 years and more, and the gentleman never objected before.

Mr. CARTER. Oh, yes; I have objected year after year. And I will say to the gentleman that he had his antilynching bill brought up and passed last year, but that is no reason why it should come up again this year. [Laughter.]

I am opposed to this because, if we are going to appropriate this money for this school—and I am opposed to appropriating money for educating people without some specific cause—we

should come in at the front door and not slip in at the back door with it. Why can not those gentlemen who favor this matter bring in some character of legislation which will authorize this thing and not make it subject to this contention and debate every time it is brought in? Now, gentlemen, if there are any politics in the proposition that is the politics of it. The politics is that gentlemen continue to do by indirection that which they refuse to do directly.

Now, my friends over on the majority side—the gentleman from Illinois [Mr. MADDEN] and other gentlemen favoring this item—have sufficient influence and power in this Congress to have legislation passed authorizing this appropriation so as to prevent this contention coming up every year. Why do not they do it? Why are we continually called upon to do the thing in this underhand way? Why are we called upon to slip in at the back door and spend all these thousands of dollars of the taxpayers' money when by the enactment of a very simple bill or resolution the item could be legalized if we are really sincere and earnest about the matter?

Mr. DOWELL. Will the gentleman yield?

Mr. CARTER. Yes; I yield to my friend.

Mr. DOWELL. Is it not true that this committee is doing this same thing on every appropriation bill, and there are items coming in here from the Senate, under the rules, and the gentleman himself is favoring amendments that come here exactly as this one has come, and the gentleman has not made a single objection to them?

Mr. CARTER. I can not yield any further. I do not want the gentleman to take all my time. If the gentleman will just investigate beneath the surface, the gentleman will know that this is not done in connection with another institution under the Government. This is the only private institution for which we appropriate in this manner. With the exception of Indian schools there is not another educational institution in this entire Government where we appropriate gratuities from the Public Treasury for the support of schools. The only appropriation that is made as a gratuity for schools from the Federal Treasury is the appropriation for the Indian schools, and these Indian schools are the property of the Government. Those schools are provided upon the very reasonable and just ground that when the white man came to this country the Indian owned the entire continent and this great Republic has been carved out of his domain, and now that everything has been taken away from him, practically, the Federal Government feels, very justly, that it should look after his education and civilization in order that he might be merged into the body politic as individual units of its capable, self-sustaining citizens.

Mr. NEWTON of Minnesota. Will the gentleman yield there?

Mr. CARTER. I yield.

Mr. NEWTON of Minnesota. What about the Columbia Institution for the Deaf? The Government appropriates money for that.

Mr. CARTER. Yes; the Columbia Institution for the Deaf is appropriated for, but, if I mistake not, the Government owns a portion of that institution.

Mr. FOSTER. Will the gentleman yield?

Mr. CARTER. I yield.

Mr. FOSTER. I was not here under the last administration. Was this same appropriation made under the last administration?

Mr. CARTER. Yes; and through every administration that we have had, but that is not any reason why it should continue to go on, and my friend knows it is not.

Mr. FOSTER. I wonder whether the gentleman tried to stop it then.

Mr. CARTER. Yes; I dissented every time it came in here, just as I am doing now.

Mr. BUTLER. Has the gentleman spoken against it every time?

Mr. CARTER. No; I have only spoken against it once before, and that was in a Democratic administration, I will say to my good friend from Pennsylvania.

Mr. CRAMTON. Mr. Speaker, I will only take this one minute to agree with my colleague from Oklahoma that it is time there was legislation that would guard this institution against being crippled by a point of order. I do not think we should go to the extent of taking the institution over. I have given it some thought. I have contemplated, if no one else did, introducing a bill, and, if so, it would be to the effect that appropriations in aid of the institution should be authorized, the board of trustees appointed by the President or otherwise by the Government, a supervision by the Bureau of Education, and a fiscal inspection of its affairs by the Government. But the situation now

is that custom has grown up here for 40 years carrying the appropriation in this way, and our committee was obliged to continue that custom in deference to the will of the House as manifested for 40 years, and it would be a grave injustice to discontinue it at this time.

Mr. VAILE. Will the gentleman yield? I just want to ask the gentleman from Oklahoma whether he would vote for such a bill?

Mr. CRAMTON. I hope so. He is a pretty reasonable gentleman.

Mr. CARTER. If I will do what?

Mr. VAILE. I was wondering if the gentleman would vote for such a bill.

Mr. CARTER. I did not hear the kind of bill it was to be.

Mr. CRAMTON. The gentleman from Oklahoma does not have as much confidence in me as I have in him. He wants to know what is in the bill.

Mr. Speaker, this institution is well managed. Doctor Durkee, the president, and Doctor Scott, the secretary, are capable men. It is economically administered and is doing a great work. Something has been said about irrigation for the Indians being a proper expenditure of our funds. That is only because they are wards of the Nation. The colored man is as well a ward of the Nation, and we are giving him in this university an opportunity to get an education that is not presented to him otherwise.

Mr. Speaker, I move the previous question.

Mr. BUTLER. I would like the gentleman before he does that to yield for a question.

Mr. CRAMTON. I yield for a question.

Mr. BUTLER. What will become of this institution if we withhold this appropriation?

Mr. CRAMTON. Well, I will say this, Mr. Speaker: Recently a fund was raised for the benefit of this institution, an endowment fund, and \$5 out of \$6 that was raised for its benefit over the whole Nation came from alumni of this institution. Where then were all these gentlemen from the South in whose midst most of these people live?

Mr. AYRES. I would like to ask my colleague a question.

Mr. CRAMTON. Mr. Speaker, I am obliged to move the previous question.

The previous question was ordered.

The SPEAKER pro tempore (Mr. LUCE). The question now comes on the motion to recede and concur in the Senate amendment No. 58.

Mr. CRAMTON. Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 209, nays 106, not voting 116, as follows:

YEAS—209.

Ackerman	Dowell	Kiess	Oliver, N. Y.
Aldrich	Dyer	King	Paige
Allen	Eagan	Kopp	Parker
Andrew	Elliot	Kurtz	Patterson
Anthony	Evans, Iowa	Lampert	Peery
Arnold	Evans, Mont.	Larson, Minn.	Perkins
Ayres	Fairchild	Lea, Calif.	Perlman
Bacharach	Fairfield	Leatherwood	Porter
Bacon	Faust	Leavitt	Purnell
Barbour	Fenn	Leibach	Raney
Beedy	Fitzgerald	Lilly	Raker
Beers	Fleetwood	Lindsay	Ramseyer
Begg	Foster	Linthicum	Ramsley
Berger	Fredericks	Little	Reece
Bixler	Free	Longworth	Richards
Boles	Freeman	Lozier	Roach
Boyce	French	Luce	Robison, Ky.
Browne, Wis.	Fulbright	McLaughlin, Mich.	Rogers, Mass.
Burdick	Fuller	McLaughlin, Nebr.	Sanders, Ind.
Burness	Funk	McLeod	Schall
Burton	Garber	McNulty	Scott
Butler	Geran	McSweeney	Sears, Nebr.
Cable	Gibson	MacGregor	Seger
Campbell	Glatfelter	Madden	Shallenberger
Cannon	Graham, Ill.	Magee, N. Y.	Sherwood
Celler	Greenwood	Magee, Pa.	Shreve
Chindblom	Griest	Major, Ill.	Simmons
Christopherson	Griffin	Manlove	Sinnott
Clague	Hardy	Mapes	Sites
Clancy	Haugen	Mead	Smith
Clarke, N. Y.	Hawes	Merritt	Snell
Cole, Iowa	Hersey	Michener	Snyder
Colton	Hickey	Miller, Wash.	Sproul, Ill.
Connelly	Hill, Md.	Minahan	Sproul, Kans.
Cook	Hoch	Montague	Stalker
Cooper, Ohio	Holaday	Mooney	Stephens
Cooper, Wis.	Hudson	Moore, Ohio	Strong, Kans.
Cramton	Hull, Iowa	Moores, Ind.	Strong, Pa.
Croll	Hull, Morton D.	Morehead	Summers, Wash.
Crosser	Hull, William E.	Morgan	Taber
Cullen	James	Morrow	Tague
Curry	Johnson, Wash.	Murphy	Taylor, Tenn.
Dallinger	Johnson, W. Va.	Nelson, Me.	Taylor, W. Va.
Darrow	Kearns	Newton, Minn.	Temple
Davey	Kelly	Nolan	Thatcher
Davis, Minn.	Kendall	O'Connell, R. I.	Thompson
Dickinson, Iowa	Kendham	O'Sullivan	Tincher

Tinkham	Voigt	Wefald	Wood
Underwood	Wainwright	Welsh	Woodruff
Valle	Ward, N. Y.	White, Kans.	Yates
Vare	Wason	Williams, Mich.	
Vestal	Watkins	Willamson	
Vincent, Mich.	Watres	Winter	

NAYS—106.

Abernethy	Driver	Larsen, Ga.	Sandlin
Allgood	Fisher	Lazaro	Sears, Fla.
Aswell	Gardner, Ind.	Lee, Ga.	Smithwick
Barkley	Garner, Tex.	Lowrey	Steagall
Bell	Garrett, Tenn.	Lyon	Stedman
Bland	Garrett, Tex.	McKeown	Stengle
Blanton	Gasque	McReynolds	Stevenson
Box	Gilbert	McSwain	Swank
Brand, Ga.	Hammer	Major, Mo.	Thomas, Ky.
Briggs	Harrison	Mansfield	Thomas, Okla.
Browning	Hastings	Milligan	Tillman
Buchanan	Hayden	Moore, Ga.	Tucker
Bulwinkle	Hill, Ala.	Moore, Va.	Upshaw
Busby	Hill, Wash.	Morris	Vinson, Ga.
Byrnes, S. C.	Hooker	Oliver, Ala.	Vinson, Ky.
Byrns, Tenn.	Howard, Okla.	Park, Ga.	Ward, N. C.
Canfield	Huddleston	Parks, Ark.	Weaver
Carter	Hudspeth	Pou	Williams, Tex.
Clark, Fla.	Humphreys	Quin	Wilson, Ind.
Cleary	Jeffers	Ragon	Wilson, La.
Collier	Johnson, Tex.	Rankin	Wilson, Miss.
Collins	Jones	Rayburn	Wingo
Davis, Tenn.	Jost	Reed, Ark.	Wolf
Dominick	Kent	Rouse	Woodrum
Doughton	Kincheloe	Rubey	Wright
Drane	Lanham	Salmon	
Drewry	Lankford	Sanders, Tex.	

NOT VOTING—116.

Almon	Edmonds	Logan	Romjue
Anderson	Favrot	McClintic	Rosenbloom
Bankhead	Fish	McDuffie	Sabath
Beck	Frear	McFadden	Sanders, N. Y.
Black, N. Y.	Frothingham	McKenzie	Schafer
Black, Tex.	Fulmer	MacLafferty	Schneider
Bloom	Gallivan	Martin	Sinclair
Bowling	Gifford	Michaelson	Speaks
Boylan	Goldsborough	Miller, Ill.	Sullivan
Brand, Ohio	Graham, Pa.	Mills	Summers, Tex.
Britten	Green, Iowa	Moore, Ill.	Sweet
Browne, N. J.	Greene, Mass.	Morin	Swing
Brumm	Hadley	Nelson, Wis.	Swoope
Buckley	Hawley	Newton, Mo.	Taylor, Colo.
Carew	Howard, Nebr.	O'Brien	Tilson
Casey	Hull, Tenn.	O'Connell, N. Y.	Timberlake
Cole, Ohio	Jacobstein	O'Connor, La.	Treadway
Connally, Tex.	Johnson, Ky.	O'Connor, N. Y.	Tydings
Connolly, Pa.	Johnson, S. Dak.	Oldfield	Treadway
Corning	Kahn	Peavey	Watson
Crisp	Keller	Phillips	Weller
Crowther	Kerr	Prall	Wertz
Cummings	Kindred	Quayle	White, Me.
Deal	Knutson	Rathbone	Williams, Ill.
Dempsey	Kunz	Reed, N. Y.	Winslow
Denison	Kvale	Reed, W. Va.	Wurzbach
Dickinson, Mo.	LaGuardia	Reid, Ill.	Wyant
Dickstein	Langley	Robinson, Iowa	Young
Doyle	Lineberger	Rogers, N. H.	Zihlman

So the motion to recede and concur was agreed to.

The Clerk announced the following additional pairs:

On this vote:

Mr. Mills (for) with Mr. McClintic (against).
 Mr. Newton of Missouri (for) with Mr. McDuffie (against).
 Mr. Young (for) with Mr. Crisp (against).
 Mr. Fish (for) with Mr. Bankhead (against).
 Mr. Frear (for) with Mr. Oldfield (against).
 Mr. Timberlake (for) with Mr. Dickinson of Missouri (against).
 Mr. Green of Iowa (for) with Mr. Martin (against).
 Mr. Wertz (for) with Mr. Logan (against).
 Mr. Weller (for) with Mr. Summers of Texas (against).
 Mr. Connolly of Pennsylvania (for) with Mr. Bowling (against).
 Mr. Greene of Massachusetts (for) with Mr. Connally of Texas (against).
 Mr. Quayle (for) with Mr. Black of Texas (against).
 Mr. Bloom (for) with Mr. Fulmer (against).
 Mr. Morin (for) with Mr. Almon (against).

Until further notice:

Mr. Denison with Mr. O'Connell of New York.
 Mr. Graham of Pennsylvania with Mr. Hull of Tennessee.
 Mr. Swoope with Mr. Prall.
 Mr. Reed of New York with Mr. Kindred.
 Mr. Michaelson with Mr. Buckley.
 Mr. Britten with Mr. Corning.
 Mr. Frothingham with Mr. Deal.
 Mr. Lineberger with Mr. Kerr.
 Mr. Tilson with Mr. Sullivan.
 Mr. Swing with Mr. Kvale.
 Mr. McFadden with Mr. Carew.
 Mr. Reid of Illinois with Mr. Doyle.
 Mr. Sweet with Mr. Eoylan.
 Mr. Williams of Illinois with Mr. O'Brien.
 Mr. Wyant with Mr. Rogers of New Hampshire.
 Mr. Winslow with Mr. Kuntz.
 Mr. Watson with Mr. Goldsborough.
 Mr. Treadway with Mr. Johnson of Kentucky.
 Mr. Kahn with Mr. Black of New York.
 Mr. Johnson of South Dakota with Mr. O'Connor of New York.
 Mr. Edmonds with Mr. Favrot.
 Mr. Cole of Ohio with Mr. Taylor of Colorado.
 Mr. Brumm with Mr. Browne of New Jersey.
 Mr. Moore of Illinois with Mr. Casey.
 Mr. Brand of Ohio with Mr. O'Connor of Louisiana.
 Mr. Crowther with Mr. Cummings.

Mr. Nelson of Wisconsin with Mr. Dickstein.
 Mr. Miller of Illinois with Mr. Gallivan.
 Mr. McKenzie with Mr. Tydings.
 Mr. Hawley with Mr. Howard of Nebraska.
 Mr. Keller with Mr. Jacobstein.
 Mr. Langley with Mr. Romjue.
 Mr. MacLafferty with Mr. Sabath.

Mr. SWING. Mr. Speaker, I was outside when my name was called, but if I were permitted to vote I would vote "yea."

The result of the vote was announced as above recorded. Mr. CRAMTON. Mr. Speaker, as to amendment No. 60, it is merely a total and I move that the House recede and concur with an amendment inserting the correct total.

The SPEAKER. The question is on the motion of the gentleman from Michigan that the House recede and concur with the amendment suggested.

The motion was agreed to.

Mr. CRAMTON. Mr. Speaker, I move that the House ask for a further conference upon the matters in disagreement. The motion was agreed to.

The SPEAKER appointed the following conferees: Mr. CRAMTON, Mr. MURPHY, and Mr. CARTER.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to extend my remarks in the Record with respect to this report by inserting therein a portion of a letter from the Reclamation Service bearing upon certain items affected by the report.

The SPEAKER. Is there objection?

There was no objection.

Mr. CRAMTON. The letter has to do with amendments 34 and 35 disposed of in the conference report, and is as follows:

DEPARTMENT OF THE INTERIOR,
 BUREAU OF RECLAMATION,
 OFFICE OF THE COMMISSIONER,
 Washington, D. C., March 3, 1924.

Hon. LOUIS C. CRAMTON,

House of Representatives.

MY DEAR MR. CRAMTON: Reference is made to your request over the telephone for the comments of this office on Senate amendments (34), (35), (37), and (38), to H. R. 5078, "An act making appropriations for the Department of the Interior for the fiscal year ending June 30, 1925, and for other purposes."

Regarding amendment (34) concerning the Yuma project, we believe the clause approved by the House was in proper form, and should be restored. The Yuma project consists of three divisions—the Reservation division in California and the Valley division and Mesa division in Arizona. The Reservation and Valley divisions are being developed under the general reclamation law, while the Mesa division is being developed under the special act of January 25, 1917 (39 Stat. 868). The Reservation division has no need for electric power and therefore the water users of that division are not interested in the construction of the plant. The Valley division must have power to pump its drainage water off the project land, and the Mesa division must have power to pump its irrigation water on the project land. Our plan is to build this plant for the Valley division and charge all of the lands of the Valley division with the cost, under section 4 of the extension act, which provides a well-understood procedure for that purpose. Because of the special act under which the Mesa division is being developed, the procedure under section 4 of the extension act can not be applied to that division, and the landowners would in effect be contractors for the power from the landowners of the Valley division. The amendment made by the Senate would require contracts covering the three divisions of the project which would be infeasible.

As to amendment (35), relating to the Boise project, the following paragraph retains the principle suggested by the paragraph inserted in the House, is believed to be thoroughly practicable, and is satisfactory to this bureau:

"Provided further, That no part of the money appropriated under this paragraph shall be expended for the development of electric power until the Secretary of the Interior shall have secured, subject to the needs of the Boise project, a contract with the Gem irrigation district providing for the purchase by that district, for a period to be determined by the Secretary of the Interior, of the electric power necessary for the irrigation of the lands of said district: And provided further, That the rates in such contract shall be sufficient to include interest at 5 per cent per annum on the cost of such power development plus a reasonable depreciation on the power plant, as found by the Secretary of the Interior, and that the contract shall provide that before delivery of power in any season the district shall furnish security satisfactory to the Secretary of the Interior to insure payment to the Government of the power charges for such season, and that such contract shall

be entered into only in the event that the holders of not less than 90 per cent of the face value of the bonded and warrant indebtedness of the district shall subordinate their claims to the obligations of the district to the Government under such contract: *And provided further*, That in the event power is furnished from the said power plant to more than one contractor, then the rates for power shall be fixed so that each such contractor, including said district, shall pay only its proper proportionate share of said interest and depreciation, as found by the Secretary of the Interior."

If the foregoing suggestions are in any respect not entirely clear, we shall be pleased to go into the matter further upon request.

Very truly yours,

D. W. DAVIS, *Commissioner*.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent to extend the remarks which I made on this matter concerning Howard University.

The SPEAKER. Is there objection?

There was no objection.

FIRST DEFICIENCY APPROPRIATION BILL, FISCAL YEAR 1924.

Mr. MADDEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 7449) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1924, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1924, and for other purposes. Pending that I ask unanimous consent that the time for general debate be equally divided between myself and the gentleman from Tennessee [Mr. BYRNS], without now fixing any definite time.

The SPEAKER. The gentleman from Illinois, pending his motion to go into the Committee of the Whole, asks unanimous consent that general debate be controlled one-half by himself and one-half by the gentleman from Tennessee [Mr. BYRNS]. Is there objection?

There was no objection.

The SPEAKER. The question is on the motion of the gentleman from Illinois that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7449.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 7449, with Mr. LEHLBACH in the chair.

The Clerk reported the title of the bill.

Mr. MADDEN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. MADDEN. This bill is entitled the "First deficiency appropriation bill, fiscal year 1924." The amount recommended to be appropriated in the bill is \$153,696,567.06, of which \$112,586.98 is for the legislative branch, leaving \$153,583,980.08 for the executive and judicial branches of the Government.

The amount recommended in the bill is \$387,438.75 less than the total amount requested.

The total recommended in the bill divides itself logically into two classes of items, namely, appropriations to supply urgent deficiencies in appropriations for the fiscal year 1923 and prior fiscal years for obligations already incurred, and supplemental appropriations for the fiscal year 1924 for purposes for which no appropriation was made and rendered necessary because of the enactment of a new law or arising out of a situation which could not be foreseen when the regular bills were enacted.

The amounts provided in the bill for the fiscal year 1923 and prior fiscal years are \$116,608,367.54, and those amounts are composed principally of the following items:

There is for the Veterans' Bureau, for vocational rehabilitation, \$900,000. It seems that in the contract obligations of the Government for vocational training there is estimated to be more than \$2,000,000 of obligations outstanding, but only \$900,000 of those obligations have been submitted to Congress.

There is an item of \$46,653 for the Housing Corporation for the payment of ground rents, and another item for 1924 for the same purpose. This is due to the fact that during the war the Government found difficulty in getting employees and having facilities supplied where they could live. Under the authority granted to the President a great number of buildings were constructed on the ground adjacent to the Union Station Plaza, and these dormitories have been occupied by the employees of the Government ever since. The ground occupied by many of these buildings is owned by the Baltimore & Ohio Railroad. During the war we were able to get the use of the land for the payment of the taxes, which amounted to about \$13,000 each year.

Mr. YATES. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. YATES. The gentleman says that many of those buildings are on land owned by the Baltimore & Ohio?

Mr. MADDEN. That is true; but not all of them are.

Mr. YATES. Does the Government own some of that property there?

Mr. MADDEN. Yes; and we did intend to own it all. Recently, however, the Baltimore & Ohio Railroad Co. said that they wanted to use their own ground and requested us to get off. In the event that we would not do that, they wanted us to pay interest upon the value of the ground. They estimated the value at \$2,000,000. They wanted 6 per cent upon that amount for rent. The Secretary of Labor and the Housing Corporation finally entered into a tentative agreement to pay 6 per cent on the assessed valuation, which is \$1,000,000, and in addition to the 6 per cent to pay the taxes. For part of the fiscal year 1923—November 14, 1922, to June 30, 1923—under that arrangement there was due \$46,643, which is provided for in this bill. The amount for the fiscal year 1924 is \$74,315.

We have in the bill an item of \$40,000 for 1923 and \$260,000 for 1924 for the payment of fees of examining surgeons in pension cases. The payment of the fees of examining surgeons is due to examinations made of Civil War and other war veterans in connection with applications for pensions under the Pension Bureau.

Mr. MORTON D. HULL. Will the gentleman yield for a question in reference to the rent item?

Mr. MADDEN. I will.

Mr. MORTON D. HULL. Were leases made of this ground from the Baltimore & Ohio Railroad?

Mr. MADDEN. A lease was made but has expired. We are simply doing the best we can until we can make other arrangements. We either have to pay or get off.

Mr. MORTON D. HULL. Then there is no permanent period of time?

Mr. MADDEN. No; the policy should be to tear down the buildings as soon as possible, but until they are torn down or closed up we must pay rent.

We have under the Department of Justice for the expenses of United States Courts and support of prisoners items amounting to \$140,032.36. Now, those items are for the year 1923 or prior years, deficiencies which have been incurred for work done or supplies furnished. The amount covers the maintenance of prisoners, fees of commissioners, expenses of marshals, district attorneys, and so forth. The United States courts all over the land convict and send prisoners to jail, and being Federal prisoners we have to pay the rate the local authorities charge for the support and maintenance of those prisoners either before convicted or after. Nobody knows how many are to be sent to jail or how long they will stay there, so nobody can estimate the expense in advance.

Then for the Post Office Department for 1923 we have an item of \$3,774,433.40. I will explain that item, which is a large one, a little later on. Now, for the customs service there is an item of \$60,000 for refunding internal-revenue taxes, \$105,467,000; public buildings, operating supplies, \$105,000; judgments, United States courts, \$3,097,866.07; judgments, Court of Claims, \$1,439,805.93, and claims audited and allowed by the general accounting office, \$1,458,297.09. Aside from the amount in the foregoing list for refunding taxes, the items in the main represent actual deficiencies incurred in 1923 and prior fiscal years and for which no payment has been made.

The amount of \$105,467,000 for refunding taxes illegally collected covers refunds on taxes collected from the fiscal year 1917 to the fiscal year 1924. While the appropriation is available for refunds on account of taxes illegally collected during any year up to and including the fiscal year 1924, as a matter of actual operation it will apply principally to the years prior to the fiscal year 1921 and the amount used on account of the fiscal year 1924 will be negligible. The sum recommended represents in part actual claims approved and awaiting payment and in part is an anticipation of the number that will be approved for payment from among the claims filed and awaiting audit and adjustment. Approximately 47,207 claims involving \$22,380,000 have been approved and await payment. The remainder of the amount recommended is for payment of claims which it is anticipated will be approved between now and December 31, 1924.

The average monthly rate of expenditure for refunds is approximately \$10,000,000. It is impossible to predict accurately in advance the exact situation that will exist. While the amounts required for the repayment of taxes are large, and arise from the collection in fiscal years when the tax receipts were unusually heavy, it must be kept in mind that the Government is recovering considerable additional revenue

as the result of audits and investigations of schedules where underpayments have been made. It is estimated that the amount of additional revenue of this character which will be received during the fiscal year 1924 will be \$250,000,000. This is the net figure of additional revenue, after deducting from the gross sum estimated from additional assessments and collections the amount that will be refunded.

Mr. WHITE of Kansas. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. WHITE of Kansas. I do not understand, and if the gentleman has the information I would like to know, in what manner and how it comes that \$105,000,000 is to be refunded. Can the gentleman tell us?

Mr. MADDEN. I will be glad to do so.

Mr. WHITE of Kansas. I want to make this qualification to the question: Is it generally on account of an erroneous assessment, a misconception, or to some extent due to regulations which upon investigation are not borne out by the law?

Mr. MADDEN. When we began the collection of income taxes under the income tax law at the time of the war, the rates were heavy and the law was little understood, and everybody made a schedule with some great doubt as to the accuracy of the schedule. Many people contested the validity of the assessment of certain sections of the law, and the courts were called upon to construe the constitutionality of the act in many phases, and the courts have ruled as to the unconstitutionality of many of the elements in connection with the revenue act.

Mr. WHITE of Kansas. That is the main question.

Mr. MADDEN. State taxes and capital-stock taxes, and many other taxes and collections in a very large sum have been made, and the large refunds we are called upon to make are due either to a change in the regulations in the department or to court decisions or to errors found in the schedules under a later audit. There were no audits made of any schedules filed under any taxes paid from 1917 until about 1921, that being due to the fact the pressure was very great on the department which had not time more than to collect and record during the war, and sometime after the war. There is nobody to blame, and while we asked the question, as the gentleman from Kansas properly does—

Mr. WHITE of Kansas. I think the gentleman answered the question—

Mr. MADDEN. We asked the question, as the gentleman from Kansas properly does, Why do we pay these refunds or are called upon to repay them? I want to call attention to the fact that we are paying these refunds for taxes overpaid, and the same audits that discover the need for refund also discover the reason why we should make a new assessment on underpaid assessments.

While we have already paid from 1917 to September, 1923, \$262,000,000 on refunds, we have collected as the result of the audit on underpaid schedules about \$2,000,000,000. Of course, the Members of the House and the public generally do not realize that we do not have to come to the House to get authority to collect; we only come to the House to get authority to pay back what has already been collected.

Mr. MORTON D. HULL. What is the expense of that audit?

Mr. MADDEN. The expense of that audit is large. About two years ago the Treasury Department came before the Committee on Appropriations and said to us in substance, "If you will give us \$10,000,000 to employ expert auditors, we will agree to collect \$500,000,000 per year on underpaid schedules." We went carefully into the question, and we were convinced that the investment of \$10,000,000 would be a good investment; and we have proved the wisdom of the investment, because in the year in which we first made the appropriation they collected \$450,000,000 from underpaid schedules, and last year they collected \$462,000,000 from that source on income taxes alone and \$62,764,000 on estate taxes and \$7,777,000 from capital-stock taxes; that is, taxes that should have been collected on capital stock issued. They sent their auditors to the offices of the secretaries of state of the different States and found that those companies or corporations that had organized had not reported. Yet, more than that, they have been collecting \$5,000,000 a month for quite a long time back, or \$60,000,000 a year as a result of investigations in the field from people who had never made any tax return at all since the war began, and the auditors have gone into the field and discovered the reason why people have not made returns. They are now making returns and paying their taxes, and that tax amounts to \$60,000,000 a year.

Mr. HOCH. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. HOCH. Does the interest payable to these claimants begin at once?

Mr. MADDEN. It begins on the adjudication of the claims and continues until the payment.

Mr. HOCH. This is the first appropriation we have had for that purpose?

Mr. MADDEN. This is the first appropriation we have had this session, but it is only fair to say that we have had this appropriation waiting for two weeks and clamoring for an opportunity to present it to the House every day, and this is the first day we have had a chance. It has not been the fault of the committee. And I may say for the information of the House, that all the appropriation bills for next year for the proper conduct of the Government, except two, are now ready for consideration, so far as the Committee on Appropriations is concerned, and if you do not pass them early it will not be our fault. [Applause.]

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield for a question?

Mr. MADDEN. Yes.

Mr. COOPER of Wisconsin. I read yesterday—it is a matter of common knowledge, I suppose—that the refunds for the last year were approximately \$124,000,000.

Mr. MADDEN. That is true, because I know we made several large appropriations.

Mr. COOPER of Wisconsin. If a man presents a claim that he has paid more taxes than he ought to have paid, then it is taken up. That is true?

Mr. MADDEN. It is not necessary. But that is one of the procedures. It is possible to have that procedure. When a man files his schedule and the audit takes place, if the department discovers that he has overpaid, they would include that overpayment on the record and notify him. If, however, they did not do that and a man thought he had a rebate coming to him, he could make his application.

They have five different sections in the Bureau of Internal Revenue in which this work is done. I can not give you the technical titles that are used for those sections, but the application for refund is filed with the proper section. No man knows what section is going to deal with his schedule. When the bureau makes the record it goes up to the auditing section, which can either modify, reject, or approve. If it rejects or modifies, it goes back, and the man who made the first audit may not get the papers to make the second audit; probably not. Then it comes back to the chief of the section; and when he gets through with it, it goes to another section, and the men in the other section have no knowledge as to the men who handled it in the first section; and when they get through with it in the second section, it goes to the third section; and when the third section gets through with it, it goes to the fourth section; and finally, if it is more than \$50,000 in amount, it goes to the solicitor of the bureau, and he passes on the facts, and then it goes to the Commissioner of Internal Revenue, who can finally approve or disapprove, as the case may be. If he approves, of course it then goes to the place of payment. That is the process through which they go.

I have been very solicitous about this thing, because I have always been afraid that there might be some collusion somewhere. It has been frequently charged that collusion existed; that conspiracy existed; and that as the result of this collusion or these conspiracies, or both, the Government had been defrauded in the allowance of claims for refunds. I have gone into that very carefully, and have been told by the responsible authorities in the department that they have their intelligence agents watching carefully every man who acts upon any one of these cases.

They have had reason to suspect certain men at certain times, and they have in fact been able to discover fraud in some cases, and perhaps in more than one or two cases, but in each case they have arrested the perpetrators of the fraud; they have indicted them, tried them, convicted them, and they are now under sentence. There might be cases pending now that I do not know anything about. I have frequently suggested that we ought to put more safeguards around this matter, but they say the only thing you can do is what they are doing, unless you want to have interminable delay, and, as the gentleman knows, many people are now complaining about the delay being longer than it should be.

Mr. COOPER of Wisconsin. That is a very lucid explanation of the present procedure. The reason I asked the question, primarily, was because this morning I received a communication saying that a certain quite influential firm had simply signed its name, or, rather, indorsed in writing its approval of an application for the rehearing of a case which had been indorsed as closed by the department, and having that indorsement, and doing virtually nothing else, that firm received \$20,000.

Mr. MADDEN. I may say, if the gentleman will permit, that while this bill was under consideration we had a case which I suspected myself. I sent for the responsible Treasury officials and I asked them about it. It was a case where a man had \$50,000 tied up in the court, or his estate was tied up to pay a bill of one of these so-called tax-adjusting concerns. I asked if it were possible for such a thing as that to happen, and they said it was, and they said it frequently happened like this: Somebody would discover in some way and tell somebody else that a certain claim was about to be audited for payment. Perhaps somebody in the audit section would have a friend among these tax adjusters—I do not know—and they would tell them this case had been favorably passed upon.

They would go to the concern in whose favor the adjustment had been made and get them to sign a contract allowing them to make the adjustment, and all they would have to do would be to get the contract signed and collect their commission. This was a case where a man collected \$50,000 and had nothing to do with the claim except to get the contract signed and collect the money.

Mr. COOPER of Wisconsin. I would like to ask the gentleman from Illinois whether he does not think that a secret procedure like that, which results in the taking of great sums of money from the Treasury of the United States, is not only wrong in theory but in practice? If a man has a claim against the Treasury of the United States, ordinarily he has to go to the Court of Claims. That court, in open session, hears the witnesses for and the witnesses against the claim, and listens to lawyers upon each side. But here is a man who presents a claim upon the Treasury of the United States and goes when he pleases and where he pleases to one official; it is in his office and nobody knows anything about it or pays any attention to it, at least, the public does not know anything about it. Then this man shunts him off to some other office and the case is considered there in the quiet of the office and alone, and then it may be the man is shunted to some other office. Meanwhile the public is absolutely uninformed as to the filing of the claim, as to what the testimony is and knows nothing about it. It is in effect this: The taking, after a hearing in secret, of money by the millions from the Treasury of the United States. The gentleman says it might cause delay to have any other sort of procedure.

Mr. MADDEN. I say that is what they said.

Mr. COOPER of Wisconsin. But I remind the gentleman of a saying of Blackstone's, which is familiar to all lawyers, that the delays in administration of justice are the price we pay for our liberties in greater things. I think we can well afford to have a little delay in the hearing of a claim for \$5,000,000, \$6,000,000, or \$10,000,000 rather than to have that much money go out of the Treasury simply on a private understanding.

Mr. MADDEN. I think the gentleman is quite right, and that there ought to be the fullest inquiry into every one of those cases.

Mr. COOPER of Wisconsin. Does not the gentleman think that a claim of that kind should not be considered by a secret tribunal but that the fact of the filing of such a claim should be public, so that the public and those who know the man filing the claim can be informed about it?

Mr. MADDEN. Are not all of these claims public?

Mr. COOPER of Wisconsin. And that there should be a hearing in public?

Mr. MADDEN. Well, I can not say about that.

Mr. COOPER of Wisconsin. And that an opportunity should be given for people to be heard for and against it.

Mr. MADDEN. I do not think you would ever get through with the work if that procedure were followed. Let me read this from the hearings and then I would like to ask the gentleman from Wisconsin a question:

I might also call to your attention the fact that court decisions are continually being rendered on disputed points which make it necessary for the Internal Revenue Bureau to refund large amounts of taxes that have previously been paid. For instance, the Supreme Court decision in the case of *Elsner v. Macomber*, holding that a stock dividend declared by a corporation is not income to the stockholder, resulted in refunds of \$70,000,000. The Supreme Court decision in the case of *Shwab v. Doyle*, holding that transfers in contemplation of death made prior to the passage of the revenue act of 1916 are not part of the gross estate of a decedent and are not subject to the estate tax imposed by that act, resulted in the refunding of about \$18,000,000. During the past two years there have been rendered at least 20 other court decisions affecting taxes already collected. These decisions will ultimately result in refunds aggregating over \$50,000,000.

Now, how would the gentleman require applications for a refund of those taxes to be made? Would the gentleman compel them to go through a court procedure?

Mr. COOPER of Wisconsin. My own judgment is that no money should be taken out of the Treasury of the United States upon the filing of a claim unless there has been an adjudication by a court, in open session, or by some tribunal equivalent to a court, whose sessions would be public. There should be an announcement in advance that the case is to be heard and there should be a calendar of cases. In other words, there should be no secrecy in the matter of taking money out of the Public Treasury.

Mr. MAPES. Will the gentleman yield?

Mr. MADDEN. I yield to the gentleman from Michigan.

Mr. MAPES. The gentleman has given us two steps that are taken in the way of securing refunds. My attention was called in the last few days to a case like this. The gentleman has been talking about cases involving millions and this is a small case as compared to those, but I think it illustrates the system. A company filed its return for 1917, 1918, and 1919, and for other years and a Government auditor came along in 1921 and found, according to his audit, that the company owed something over \$15,000 for those years. The company made an application for a refund, and another Government auditor came along in 1923, audited the company's books, and made his report to the department. Afterwards the company sent its own auditor to the department and went over the case with the income-tax unit here in Washington. Subsequent to that, the department found, and so wrote the company, that instead of its owing \$15,000, the Government owed the company something; not a large amount, \$500 or \$600, as I recall it.

That stood until a short time ago, when the company was visited by another Government agent, who said that the second auditor was not satisfied with that finding, and therefore, under the regulations of the department, he wanted to go over the books of this company again. The company has already been put to about \$4,500 expense in the case, and of course it is difficult to justify that sort of procedure to the citizen involved.

Mr. MADDEN. Here is what sometimes happens. These audits are a good deal more of a terror than most people think. For example, a revenue agent will be sent out in the field, and these agents are not under the control of the local collector of internal revenue. Their orders come from Washington. They are sent out to check up the accounts of a given concern. In checking up these accounts they frequently discover that some large transaction involving a large sum of money between this company and another company whose accounts they are not auditing has taken place and that no report of that transaction has been made in connection with the return. So they follow that up. When they make the audit of the second man's books, which audit they were not intending to make at all and would not have made except for the first discovery, they come back and make a readit of the books of the first man, and perhaps in the readit they discover that another transaction in connection with some other business concern has not been disclosed in the return, and that is why these audits and readits are frequently required to be made in order that they may trace down the frauds that may exist in connection with the making of returns.

Mr. MAPES. I will say to the gentleman that in this particular case I do not think there was any question of that kind involved. It was probably due to poor bookkeeping.

Mr. MADDEN. Or lack of knowledge.

Mr. MAPES. Lack of bookkeeping. I would like to ask the gentleman, if he knows, how many times the Government can go over the same case?

Mr. MADDEN. They can go over them whenever they have reason to suspect there is anything wrong, and they never fix a limit on the number of times they can go over them within the period which the law prescribes; that is, within the statute of limitations.

Mr. MAPES. So the taxpayer does not know whether his case is settled or not.

Mr. MADDEN. No; if he is under suspicion in any way; but if a man has been proved to be correct in his habit of making returns, there is not much chance of his having this trouble after the first audit.

Mr. MAPES. It is not a question of being under suspicion, if the gentleman means to infer any desire to escape the taxation; but it may be a question of poor bookkeeping or something of that kind.

Mr. MADDEN. Of course, that may be.

Mr. MAPES. Can these auditors go—

Mr. MADDEN. They do not go except as they are sent. They never go anywhere except on orders.

Mr. MAPES. Can they be sent indefinitely?

Mr. MADDEN. Yes; here is what they do—

Mr. MAPES. And the taxpayer has no redress but to hire another auditor to check up on the Government auditor.

Mr. MADDEN. He has no redress and will not have any as long as the income tax law is in effect. The Government is a partner of every citizen of the United States in all his earnings. The Government is not a partner in the capital that the person employs in his business, and the Government does not supply any part of the capital to make up any loss, but the Government insists on the collection of the last cent of its interest in the business, and whenever a responsible official of the Treasury Department has reason to believe that there is anything wrong with anybody's account or with anybody's return he is authorized to send an agent. The agent does not go from the collector of internal revenue. The collector of internal revenue has nothing to do with him and can not order him. He goes with a special mandate, and he can only audit the things for which he has such mandate. Then he makes his return, and if his return shows there ought to be a further audit somebody else will get a new mandate to make the further discoveries that are required to be made.

Mr. MAPES. Of course that is a great expense and works a great hardship in individual cases.

Mr. MADDEN. It is a great annoyance, but it is like a lot of other things we have in connection with the enforcement of the law, and of course, unfortunately, it does create a lot of annoyance to those who have to pay the tax and have to put up with the inconvenience.

Mr. ROACH. Will the gentleman yield?

Mr. MADDEN. Yes.

Mr. ROACH. I merely want to submit a question to ascertain whether I correctly understand the gentleman's statement which he made a moment ago.

Mr. MADDEN. Maybe I did not make it quite clear.

Mr. ROACH. If I understand the gentleman correctly, if it is discovered in the department that a taxpayer has overpaid his taxes and has an account against the Government, whether due to a court decision to which the gentleman has referred, or brought to the attention of the department in some other way, it is the policy of the department to pay that taxpayer the refund that is due him without any proceeding whatsoever on his part.

Mr. MADDEN. Without any legal proceeding; yes.

Mr. ROACH. Is it necessary for the taxpayer to file a claim?

Mr. MADDEN. Oh, yes. If he files a claim he must file proof. He must prove his case beyond question.

Mr. ROACH. Let us say that I am a taxpayer and have overpaid my taxes by reason of a wrong construction placed upon the law by the bureau. Suppose the court reverses that construction and says that the tax should not have been paid. Therefore, a sum of money becomes due to me as a taxpayer.

Mr. MADDEN. In that case I think it would be sent as a credit to the collector of the internal revenue district in which the gentleman lives.

Mr. ROACH. That is as I think it should be, and if the gentleman will permit a reply in regard to what the gentleman from Wisconsin [Mr. COOPER] said about having some public forum in which to hear these cases, a large percentage of these overpayments are due to the fact that the courts have placed a different construction upon the law to that which was placed on it by the Treasury officials in their regulations.

Mr. MADDEN. The refunds amount to more than \$100,000,000 on account of court decisions.

Mr. ROACH. It seems to me it would be unjust to require the taxpayer to be under the burden of asserting and presenting his claim with all the red tape incident to such transactions, and it would be rather the duty of the department, as they are now operating, to pay these claims voluntarily.

Mr. COOPER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. COOPER of Wisconsin. In reply to what the gentleman has said, there are many claims which are not of the character he describes. Take the other claims where the man himself thinks that he has been wronged and he initiates a claim himself. It is not based upon a subsequent or a different interpretation by the court of the law, and the adjudication of that claim ought to be in some open tribunal where the public will have the information.

Mr. MADDEN. That is in the case of a contested claim.

Mr. COOPER of Wisconsin. Yes.

Mr. ROACH. Just one other question, because I would like to get the matter entirely clear, for to me it seems very important. Will the committee to which the gentleman has referred, for which an appropriation was made, investigate returns with the view of ascertaining underpayments as well as overpayments?

Mr. MADDEN. They all come in together. When the audit of schedules is being made they discover whether there has been an over or an under payment, and they report the cases. A man may make a claim for a refund, and the audit of his claim may show that he owes the Government. That frequently happens. In that case the Government levies a new assessment and collects it instead of paying him the refund that he claims. The best test of that is that while we have been paying out \$262,000,000 since the beginning of the war on refunds, we have collected over \$2,000,000,000 on underpaid schedules, so that as a matter of fact I think it is fair to give the department credit for a very accurate system in connection with the consideration of these problems.

A good deal of complaint has been made about the condition of the Ellis Island immigration station. A great many people have said that the Ellis Island station is a menace and a disgrace to civilization. I have not been willing to go as far as that, but I really do think that the Ellis Island immigration station was and is in bad condition, and all of the members of the Immigration Committee who visited the station say that something should be done. This committee recommends an appropriation of \$326,000 for repairs and alterations at Ellis Island immigration station. That is for the purpose of remodeling the buildings and furnishing beds where no beds have heretofore existed for those who have to be detained. Under the existing immigration law, where the quota of the different nationalities is restricted, a great many more people are held at Ellis Island than were held prior to the restricted provisions of the law. A great many people are held there who are really not immigrants in the sense we generally understand the term. They are held because the quota from the country from which they come has already been filled, or, at any rate, there is a contest as to whether it is filled or not.

Mr. WHITE of Kansas. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. WHITE of Kansas. Is it not a fact in the particular instance cited by the chairman that those who are not immigrants are held in order that they may submit proofs?

Mr. MADDEN. Yes.

Mr. WHITE of Kansas. And it is very largely their own fault.

Mr. MADDEN. I do not know whose fault it is.

Mr. WHITE of Kansas. It is undoubtedly, in most instances.

Mr. MADDEN. Of course, there is not any argument to be made on that. I am simply calling attention to the fact that they are held there. Why they are held does not matter. The fact that they are held makes it necessary to make some provision for their care.

Mr. CELLER. And is it not a fact that the Immigration Service more than pays for itself?

Mr. MADDEN. Oh, there is no question about that.

Mr. CELLER. The amount of money received is more than the amount expended.

Mr. MADDEN. Yes; but, after all, the mere fact that we get money from some source is not an argument for spending a lot more money in connection with the service.

Mr. SNYDER. Mr. Chairman, will the gentleman yield?

Mr. MADDEN. Yes.

Mr. SNYDER. I spent an entire day at Ellis Island last fall. On that day there happened to be about 1,000 immigrants there who had been ordered deported. That night something like over 700 had to be sent off the island back onto the various ships on which they came over in in order to be housed overnight. I think at that time there were only three hundred and odd actual beds in the institution. The rest of them were wire contraptions—two or three deckers.

Mr. MADDEN. We are doing away with all of those now.

Mr. SNYDER. I think if there ever was an appropriation needed for the improvement of a situation this is it.

I think it goes a little bit further than the furnishing of beds and a rearrangement. I think it would be tremendously beneficial.

Mr. MADDEN. It is furnishing of much better sanitary facilities at Ellis Island, and so forth.

Mr. CELLER. Was this the amount asked for by the commissioner?

Mr. NEWTON of Minnesota. Was there anything in the testimony in reference to any additional facilities to the extent of added buildings?

Mr. MADDEN. No; it is a remodeling of existing buildings. Mr. SNYDER. But the gentleman does not mean to say that this is all that they asked for in the matter of a deficiency? Did not they have an idea—

Mr. MADDEN. Oh, they have plans, but those plans were not before us.

Mr. NEWTON of Minnesota. I did not know but what it came up incidentally in this examination. I know they have recently reported—

Mr. MADDEN. They have other plans, but they ought to know them a little better than this plan before they present them.

Mr. SNYDER. I believe it is a great assistance for them to get this much.

Mr. HILL of Maryland. This has in contemplation the existing buildings?

Mr. MADDEN. Remodeling the existing buildings for the care of the immigrants who have to be detained overnight or for any particular length of time and to furnish them with rooms and better toilet facilities, sleeping facilities. In other words, to try to make the conditions more humane.

Mr. HILL of Maryland. At the utmost how many will these additions take care of?

Mr. MADDEN. Of everything they want; I do not know how many people.

Mr. SNYDER. They can not take care of over 1,500 or 1,600.

Mr. RAKER. Will the gentleman yield?

Mr. MADDEN. I do not want to take up all day.

Mr. RAKER. I want to ask the gentleman if it is not a fact that as to all those that exceed the quota should the immigrant officials follow strictly the letter of the law that none of these people would be at Ellis Island?

Mr. MADDEN. They would have to stay on board ship.

Mr. RAKER. I mean before they left the ship they came over on.

Mr. MADDEN. I do not want to enter into a technical argument as to what ought not or what should be done, but I am simply calling attention to the conditions which exist and which we are trying to remedy at Ellis Island. You gentlemen of the Immigration Committee can argue that out a little later.

Mr. RAKER. I know, but these people are asked to land at Ellis Island.

Mr. MADDEN. No; they ask.

Mr. RAKER. But if the law was strictly enforced relative to excessive quota they would not be at Ellis Island but on the ship that brought them over.

Mr. MADDEN. I am not an expert, and I know the gentleman from California is.

Mr. RAKER. I thank the gentleman.

Mr. CELLER. The fault is not with the alien coming here, but with the existing conditions at Ellis Island.

Mr. MADDEN. We have no argument about that.

Mr. BOX. I want to say as a member of the committee, I think this appropriation is fully justified, the accommodations have not been sufficient or creditable to the United States, and I am glad this money is to be provided for this purpose.

Mr. MADDEN. I want to call attention to the additional appropriation of more than \$11,000,000 for the Post Office Department for the fiscal year 1924 and to say it is due to a progressive condition of business which became apparent about the time Congress adjourned in March, 1923, for the long recess. The appropriations for the fiscal year 1924 had been made in the act approved February 14, 1923. The amounts appropriated by Congress for that fiscal year for the items for which supplemental amounts are carried in this bill were practically the amounts requested by the department. No complaint could properly be filed against the Appropriations Committee in reference to the appropriations at that time, and the department itself acknowledges the fact that they were given all the money they asked for, but the percentage of increase in postal receipts for the fiscal year 1922 was 4.61, and for the fiscal year 1923 it was 9.89. That is the increase in the business. It became apparent to the Post Office Department after a survey of the conditions of handling the mail throughout the country that the increase in personnel asked and provided for the fiscal year 1924 would not be sufficient. It therefore became necessary to employ additional help to handle the growing business and to dispose of congestion and to eliminate delays which had occurred in many places. The additional personnel, the greater portion of which was employed October 1 last, consisted of

3,200 clerks and employees of the first and second class offices, 500 post-office laborers, and 2,788 city letter carriers. The amounts recommended in the bill for 1924 are substantially all on account of these additional employments. It is only fair to say that while the business of the Post Office increased about 7½ per cent, the increase in expenses was only about 2½ per cent; that is to say, they have not taken advantage of its service and employed the number of men required to perform the increased business in the year before, and they only increased the expense 1½ per cent, while the business of the office increased about 7 per cent, and it became manifest on every hand that if they did not increase the number of people who ought to be employed to as large an extent as the business of the office justified they would then find themselves in an embarrassing situation and have to put those men on while Congress was out of session and take their chances on getting a deficiency appropriation which is carried in this bill amounting to \$11,000,000.

Now we have a condition in respect to the circulating medium of the country which is very unusual. We authorized 138,000,000 sheets of currency to be printed last year. A sheet of currency is composed of four notes. We had authorized 138,000,000 sheets; and by the way, all the currency paper that is purchased is authorized through recommendations of the Committee on Appropriations, ratified by Congress from year to year, and the amount depends entirely upon the size of the circulation. Well, it soon transpired that there was not anything like the number of one-dollar bills throughout the country that were needed, and an unprecedented demand was made upon the Treasury for one-dollar bills, and the result was that they have had to go on, regardless of what we had been doing in the past and what we had authorized, and purchase at the rate of 165,000,000 sheets. There is about 5 per cent waste in this, as I understand, so that in 165,000,000 sheets there would be about 8,000,000 sheets wasted, and it requires 27,000,000 sheets in addition to what they had the money to buy, not only to buy the paper but to print and make it into currency; and meanwhile, because of the great demand for one-dollar bills—and this demand is greater than was ever known before—silver has ceased to circulate as a trading medium, and that makes the unusual demand for the one-dollar paper bill.

Before the war all the currency was printed on linen paper; that is, paper made of linen. During the war we had to go to cotton. Then we went to about half linen and half cotton. This year, for the first time since the war, we have been able to get back to all linen. Of course the currency lasts longer when made of linen than when made of cotton. There was a time when they used to launder or wash the money. They do not do that any more. They say it does not pay and that it draws out the lines on the paper, thus making counterfeiting easier. And so, to obviate counterfeiting to the extent that it can be obviated, they have ceased to launder the money.

Now, we have a great service known as the customs service. That service collected \$562,000,000 last year. That is about \$205,000,000 more than the service ever collected in any one year before. The number of employees in the service was insufficient to meet the needs of the service and to collect the revenue; and unless you could make proper inspection of goods coming in from foreign ports to American ports you naturally are not going to collect all the revenue, and it was necessary to ask for more men and more money.

The CHAIRMAN. The gentleman has consumed an hour.

Mr. MADDEN. I will take 15 minutes more.

In the bill that we passed for the Treasury Department, which becomes effective on the 1st of July, we authorize 1,128 additional men for the customs service. We did not increase the compensation of any of these men because no increase in compensation was asked. I think I should say at this time that a good deal of pressure has been brought to bear for increased compensation for the customs-service employees throughout the country. But they did not come before our committee to ask for increased compensation while we had the annual bill under consideration. They asked us for 1,128 additional men, which cost in the neighborhood of \$1,500,000 more than the expenses were for the year previous. That was all allowed. But since the bill went to the Senate a good many people have pressed for amendments over there, and I think amendments have been added to the bill which contemplate increased compensation.

I am saying this publicly because I know a good many Members of the House are interested. It is only right for me to say that I am in sympathy with these men in their demands for higher compensation. But Congress a little more than a year ago enacted what is known as the classification law, and that law provides that as to Government employees

within the District of Columbia the classification shall take effect as of the first of next July, and the salaries that are fixed in the classification act are being appropriated for in these bills as they are presented for your consideration for all the Government employees in the District of Columbia. The law provides that the Classification Board shall make a report later on in connection with the Government employees in the field—that is, those employees that are not within the District of Columbia. I hope that that report will be made before the 1st of July so that whatever increase is to be given to the field service will be reported before the 1st of July, so that we can appropriate by supplemental appropriation bills to cover it.

There is no added compensation in any of the bills that we are reporting here for any Government employee outside of the District of Columbia—you want to get that—beginning on the 1st of July. The people in the customs service have been bringing a very great amount of pressure to bear for increased compensation now, and I say to those people who are bringing this pressure that they are not any more worthy than the people engaged in any other branch of the Government service; not a bit. They are equally worthy. I am saying what I am saying here publicly so that everybody will understand it. It would not be right toward the other 150,000 people engaged in the Government service if we gave first consideration to those engaged in the customs service and left out the other 150,000.

I want to say to all the anxious inquirers—and there are many of them—if they will just let their friends on the Committee on Appropriations alone, in connection with their customs service friends, we will try to do this: The appropriations we are making go into effect on the 1st of July. Any appropriations that go into any bill now for the customs service would not become effective until the 1st of July anyway unless it were a deficiency bill.

If the Classification Board has not succeeded in classifying the field service, which includes all Government employees and not merely those in the customs service—because there are only 7,500 people in the customs service in the field and 150,000 of the others, excluding the Postal Service—we will recommend before the 1st of July the present base pay to all Government employees in the field, the existing bonus and whatever addition may be required to these two items to bring the compensation of those engaged in the field service up to the compensation of the people living and working in the District of Columbia as fixed in the classification act. That will put them all on a parity. [Applause.] It will not give anybody any preference; it will be just to everybody and no preferential rights will be granted anywhere.

If there is anybody in the customs service who does not like that, they need not apply to me, because I am not for any preferential rights. [Applause.] So tell your friends that is where I stand, and that to the extent I can stop you from doing anything else I am going to do it.

Now, we have another item which is very important—the Coast Guard item, the service about which you heard so much yesterday. We are asking here an appropriation for the Coast Guard of \$13,850,622.

Yesterday you passed a bill which authorizes the transfer of 20 torpedo-boat destroyers from the Navy to the Coast Guard. Among other things it was said that the Coast Guard might become corrupt. I think somebody said that if they were charged with the responsibility of enforcing the prohibition act they might become corrupt, but there is no danger of that, because the Coast Guard men are incorruptible; they are the highest class of men we have in any Government service.

Yesterday you authorized the transfer of 20 ships from the Navy to the Coast Guard. The reason why these boats were transferred was because they have a 30-knot speed, while the existing Coast Guard fleet has a speed of about 10 knots.

The Coast Guard is charged with the responsibility of preventing smuggling; they are an arm of the Treasury Department to help collect the revenue which belongs to the United States; they are the sea police force of the Treasury Department; they are the instrumentality through which the law is enforced at sea, lives saved, and many other meritorious things are done by that service. They are an incorruptible, patriotic, untiring, and indefatigable lot, worthy of the confidence of the American people. To place in their hands law enforcement in connection with the smuggling of liquor is, I believe, one of the wisest things that has been undertaken here.

Yesterday we talked about 20 destroyers and, perhaps, most men thought that was all the fleet was to be, in addition to two mine sweepers. But that is not all. That bill only provided for the transfer of 20 of these boats, and it was not necessary

to carry anything else in that legislation, because the Appropriations Committee has the power to provide the other means. That committee can not make transfers, but it can provide the motor boats and other equipment. We are providing in this bill for 323 new motor boats—223 cabin cruisers with great speed, to cost about \$37,500 apiece, as well as a lot of dory boats, about 30 or 40 feet long, and with plenty of power and great speed. There will be 100 of them if you agree with us, and there will also be the 20 torpedo-boat destroyers. They will have guns, if anybody asks you, and they will have authority to enforce the law.

Somebody has said you can not capture a ship sailing under a foreign flag if it is at sea, but the fact is you can if it comes within American waters and then starts to go to sea again if you can make the chase continuous, and the nation whose flag she is flying can not contest it. That is what it is intended these fast boats will do.

What is the trouble to-day? The trouble to-day is that we have fleets of ships—not a fleet of ships—carrying thousands of cases of contraband liquor which they are able to land because our present facilities are inadequate to prevent it.

Now, gentlemen, I did not vote for prohibition; but it does not matter. I am for law enforcement. [Applause.] And there will not be anything I can do as a Member of Congress to enforce the law that I will not do, no matter what it costs. [Applause.]

Mr. SCHNEIDER. Will the gentleman yield for a question? Mr. MADDEN. Yes.

Mr. SCHNEIDER. Does this appropriation provide for additional life-saving stations and the personnel therefor?

Mr. MADDEN. No; not for additional life-saving stations. It provides for the reinstallation of some that already existed. There are some 19 of them which have been discontinued and are to be restored, but, of course, there is no need of going into the details of that now.

Mr. SCHNEIDER. Was there not some authorization for the construction of life-saving stations made by the past Congress?

Mr. MADDEN. There may have been. I do not recall.

Mr. SCHNEIDER. I think so. Does this appropriation provide for carrying out that authorization?

Mr. MADDEN. No. If it was to be done at all, it would be done in the appropriation bill of last year.

Mr. SCHNEIDER. It was not done last year.

Mr. MADDEN. They may not have done the work; but if there is any provision made, it would have been appropriated for at that time. I would not undertake to say now, but I will look that up and let the gentleman know.

Mr. CELLER. Will the gentleman yield for a question?

Mr. MADDEN. Yes, indeed.

Mr. CELLER. I was interested in the gentleman's statement when he said he would be willing to expend every dollar in the Treasury for law enforcement.

Mr. MADDEN. If it was necessary.

Mr. CELLER. Suppose we had to spend \$2,000,000,000 for the enforcement of prohibition?

Mr. MADDEN. I do not differentiate between laws. I would simply enforce the law.

Mr. CELLER. Would the gentleman not rather see prohibition done away with than to have to expend such a large amount of money to enforce it?

Mr. MADDEN. The gentleman can not put those words into my mouth. [Applause.]

Mr. CELLER. Will the gentleman yield for just one more question?

Mr. MADDEN. Yes, indeed.

Mr. CELLER. I was also interested in the gentleman's statement when he stated that if there was a continuous chase over the 3-mile limit that the revenue cutter had the right to its prize, if it captured any foreign ship carrying liquor or other contraband.

Mr. MADDEN. That is what I understand.

Mr. CELLER. Is it not true that such a case was determined in the United States circuit court of appeals—

Mr. MADDEN. I am not a lawyer and I do not know. I am just stating what I have been informed.

Mr. CELLER. If I may be so bold as to correct the gentleman, I think the statement is in error, because I do not think you have the right to go across the 3-mile limit, despite the fact that the unlawful act may have been committed within the 3-mile limit. I think it has been so held and the prize taken under such circumstances released.

Mr. MADDEN. If the ship undertook to get away within the 3-mile limit, and I was the officer in charge, I would take a chance in going after it.

Mr. CELLER. There has been a case of that kind involving English ships, and they have been released.

Mr. MADDEN. I do not want to get into any argument of that kind, because the gentleman is too technical for me.

Mr. BYRNS of Tennessee. The gentleman will recall that Admiral Billard, when he was before the committee, said that in a continuous pursuit they could go beyond the 3-mile limit.

Mr. MADDEN. Yes.

Mr. SNYDER. Will the gentleman yield?

Mr. MADDEN. I yield to the gentleman.

Mr. SNYDER. I just want to say that I am in the same position that the gentleman from Illinois is in by having voted against the eighteenth amendment, but I stand for the enforcement of the law, and I believe in this proposition. I think the great disgrace in this country to-day is this bootlegging proposition from the coast line in, and if this will stop it I am for it.

Mr. MADDEN. We are going to enforce it.

Mr. SNYDER. I am for it if it takes \$13,000,000 or \$36,000,000.

Mr. MADDEN. We are going to enforce it; that is what we are going to do, and there is going to be no question about it. There is no use in anybody saying it can not be done, because it can be done and is going to be done. [Applause.]

Mr. BYRNS of Tennessee. Mr. Chairman, it is not my purpose to detain the committee more than a very few minutes in the discussion of this bill. There are quite a number of gentlemen who are desirous of addressing the House under general debate, and it is my desire and purpose to yield them most of the time at my disposal.

Before referring to the bill I want to call the attention of the House to a telegram which I received this morning, and which is supplemental to some telegrams I presented to the House during the discussion of the Ford offer for Muscle Shoals. Gentlemen of the House will remember that I stated that the Nashville Banner, one of the leading daily newspapers in the South, published at my home, in Nashville, Tenn., was conducting a referendum among the citizens to ascertain just what their desires were with reference to the disposition of Muscle Shoals, a referendum of the citizens in Nashville and also in surrounding middle Tennessee towns which are just north of the shoals in question.

I received a telegram from Maj. E. B. Stahlman, owner and publisher of the Nashville Banner, in which he gives the final result of that referendum, and I wish to read it to the House, with your permission:

NASHVILLE, TENN., March 12, 1924.

Hon. JOSEPH W. BYRNS, M. C.,

Washington, D. C.:

Count of total and final vote in Banner's referendum on shoals proposition gives Ford, 56,145. Associated power companies, 49. Government ownership, 16. Equal to 864 to 1 for Ford. Approximately 20,000 came from Nashville and Davidson County. Thirty thousand from other Tennessee counties. Remainder from north Alabama and southwestern Kentucky. There was never a fairer vote cast in Tennessee. Every ballot had printed on it for or against proposition, requiring name of voters. Everybody was urged to vote, and the vote as cast was honestly counted. We feel proud of the record made by you and other Members of the Tennessee delegation on this question.

E. B. STAHLMAN.

[Applause.]

This vote, in my judgment, very correctly represents the sentiment of practically the entire South with reference to the Ford offer.

Mr. SCHNEIDER. Will the gentleman yield?

Mr. BYRNS of Tennessee. I yield.

Mr. SCHNEIDER. Was that vote promoted by the public press? Was it a newspaper that promoted this referendum vote on Muscle Shoals?

Mr. BYRNS of Tennessee. The referendum was taken by a newspaper; but there were committees appointed by the chamber of commerce, three representing the Ford offer and three representing the power companies, and these committees outlined the reasons governing them in their idea as to what should be done with Muscle Shoals, and these statements were published in this paper at the beginning of the referendum; and the vote, which was submitted in the way of coupons printed in the paper, afforded an opportunity to those who cast their votes to write their names and also to vote either for the Ford offer or for the associated power companies or for Government ownership.

Mr. SCHNEIDER. The only question I have in mind, I might say, is whether this was conducted the same as was the referendum on the Mellon tax bill by the Literary Digest.

Mr. BYRNS of Tennessee. I do not know just how the Literary Digest conducted that referendum.

Mr. SCHNEIDER. I guess nobody else does.

Mr. BYRNS of Tennessee. I do not suppose anybody else does; but I have read this telegram simply to indicate to the House just how the South, and particularly that portion of the Southland near Muscle Shoals, regarded this proposition. They are on the ground, and they believe they know just what is to the best interest of the South and the country.

They believe that Henry Ford will develop Muscle Shoals for the good of the entire country, and they believe that he will carry out his promises and pledges to the letter. To show that this sentiment is not confined to any particular class of citizens, I noticed an interview commenting upon the action of the House in accepting the Ford offer with Mr. James E. Caldwell, of Nashville, Tenn., president of one of the largest banks in the South and one of the most prominent and wealthiest financiers of the South. In that interview he commended the House and stated that he would rather see Henry Ford have that proposition on his own terms than that Congress should have denied him an opportunity to develop the shoals, because he believed that development by Henry Ford means prosperity for the South and for the whole country.

Mr. Chairman, I am not going to discuss the pending bill. It has been very fully discussed and explained by the gentleman from Illinois [Mr. MADDEN], the chairman of the committee, with his usual force and clearness. There is nothing that I could add to what he has said. There are no controversies relative to the bill that I know anything about. It comes with the unanimous report of the committee and it was agreed upon without any particular difference of opinion. As he explained, the bill carries \$153,583,980.08. The estimates were \$154,084,005.81. In other words, the bill carries \$387,438.75 less than the estimates. Of the amount carried in the bill \$116,608,367.54 is recommended to meet expenditures necessary for the year 1923 and preceding years. Something over \$105,000,000 of that amount is required for the refund of taxes. By way of supplemental appropriations for the current fiscal year there is recommended \$37,088,199.52, and, of course, that should be added to the appropriations for 1924.

There is carried in this bill, and I want to refer to it just briefly, a recommendation of an appropriation of \$1,110,000 for the Alaskan Railroad. Those who were in the House at the time the legislation was passed authorizing the construction of that road and its operation by the Government will recall that it was said at that time that it would not cost to exceed \$35,000,000 to build the road. Those who opposed it at the time, and I was one of them, insisted that it might cost \$75,000,000. As a matter of fact, it cost \$56,000,000. There is asked now an appropriation of \$5,250,000 to be expended over a period of a few years for replacements and betterments to take care of certain temporary structures, and which it is evident to my mind from the hearings will have to be granted if the road is to be kept in a safe and serviceable condition. That will carry the cost of the road to \$61,250,000. It is my judgment that after a few years, or after that money has been expended, there doubtless will have to be additional money appropriated, because despite what is said, while I have never visited Alaska, yet from description given as to conditions there, the fact of repeated freezes and thaws, I am satisfied that the Government will have to be continually expending money to keep that road up, to take care of its roadbed, bridges, and so forth. The facts are that the operating deficit of that road to-day is \$1,000,000 a year. We are carrying in this bill \$245,000 to supplement an appropriation of \$1,000,000, which was made for the anticipated deficit for the current year, and it is said that the operating deficit next year will be \$1,000,000. That does not take into consideration the loss by depreciation or interest upon the money invested. If those things are considered, it is costing the Government, in addition to operating deficit, something like \$6,000,000 a year. In other words, the Alaskan Railroad is costing the Government to-day, when you take into consideration the question of depreciation, of interest on capital, of the question of amortization, at least \$7,000,000 and possibly more. This is an expensive proposition, but we have the property there, and as it is rendering service it will have to be continued.

Mr. SHERWOOD. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. SHERWOOD. Is there any indication anywhere that it ever paid a cent?

Mr. BYRNS of Tennessee. No; on the contrary, I think the indications are it will always be a charge upon the Government. It was said by Mr. Landis, the new manager appointed several months ago by the present administration, that he hoped by the end of next year to make the receipts equal the expenditures, but he was not altogether clear in his state-

ment as to just how it was anticipated that that would be done, especially since he admitted that it would require a million dollars next year to take care of the operating deficit. Of course, he can only provide for that by increased freight.

Mr. SHERWOOD. At the time that bill passed I had the honor to vote against it.

Mr. BYRNS of Tennessee. So did I.

Mr. SHERWOOD. It was predicted then that there were immense coal fields there. Has any coal ever been gotten out?

Mr. BYRNS of Tennessee. I think they are getting out some coal, but not to the extent anticipated at that time.

Mr. SHERWOOD. It would be to the advantage of the Government if the whole thing were scrapped now, would it not?

Mr. BYRNS of Tennessee. So far as a monetary proposition is concerned it would, but inasmuch as the Government has made an investment of \$50,000,000 and more, and as it is rendering some service, I suppose, to Alaska in its development, I do not now think it should be scrapped.

Mr. SHERWOOD. There are only about 50,000 people in the whole Territory.

Mr. BYRNS of Tennessee. That is correct.

Mr. RAKER. It has only been about a year and a little over since the bridge that made the railroad usable from one end to the other was completed.

Mr. BYRNS of Tennessee. That is correct.

Mr. RAKER. So that up until, say, within a year the road has not been in shape to use for its entire length?

Mr. BYRNS of Tennessee. I think that is true.

Mr. RAKER. So we ought not to criticize it at all until it gets in full operation—and I am not saying that the gentleman is criticizing it.

Mr. BYRNS of Tennessee. I am trying to state the facts as they appear to me.

Mr. RAKER. We reserved a tract of land for naval coal. We started in to develop it, and about a year ago we stopped it without any cause or excuse. Instead of our proceeding to develop and do as we should have done, we have stopped work on something that would give this road something upon which to exist.

Mr. BYRNS of Tennessee. And I think that is the only way by which the railroad can be made to pay anything like expenses. Of course, as the gentleman knows, the arguments which were made at the time the bill was passed were that the railroad was necessary in order to develop this coal for naval purposes and also, of course, to help agriculture to a limited extent and in the development of the territory generally.

Mr. RAKER. But we ought not to begin to think about scrapping this wonderful piece of property until the Government has fairly and legitimately determined in regard to it.

Mr. BYRNS of Tennessee. I agree with the gentleman. I think this investment is too large to consider scrapping it, and it is rather an expensive proposition, since it costs the Government over a million dollars a year to carry it along without regard to depreciation and interest on invested capital.

Mr. RAKER. I was just thinking, hearing the testimony this morning, where we gave 44,000,000 acres of land to build a railroad and lost about \$270,000,000 by virtue of it, we ought not hastily to turn it down where we are trying to-day to save this asset for the Government.

Mr. BYRNS of Tennessee. No; I think we should conserve it as best we can.

Mr. SCHNEIDER. Will the gentleman yield?

Mr. BYRNS of Tennessee. Very briefly.

Mr. SCHNEIDER. Does the gentleman know anything about the efficiency of the operation of the Alaskan Railroad?

Mr. BYRNS of Tennessee. Well, I have no reason to criticize the manner of its operation. Of course, my information is obtained altogether from the hearings upon this bill, and that information has come from those who are in charge of its operation.

Mr. SCHNEIDER. The gentleman has heard complaints about inefficiency?

Mr. BYRNS of Tennessee. I have heard some, and I understand that a new manager has been recently appointed, and he professes to be able to pull it out of the hole to some extent.

Mr. SCHNEIDER. And the discrimination against the railroad and the interests up there to make it a failure?

Mr. BYRNS of Tennessee. I do not doubt but what it exists. I think the Government should take steps now to develop that coal for naval purposes. We were told when the bill was passed that the coal was well adapted for naval purposes. An analysis of the coal was presented here and I presume it was correct. I have never understood why the Government should have abandoned the development of that coal for its own use, because that is the only way that the Government

can in a measure recoup for the expenditure that has been made on the railroad. I think everything ought to be done to make it a paying proposition.

Mr. SCHNEIDER. The gentleman knows that the natural resources of Alaska are being given to private interests?

Mr. BYRNS of Tennessee. Well, I hope they are not being given away now. I have an idea that a great deal of it has been given away, as was the case with a good many of the natural resources of our own continental territory.

Mr. SCHNEIDER. Muscle Shoals.

Mr. RAKER. Mr. Chairman, that statement ought not to go unchallenged, and I want to call attention to it and say that there is practically none of this land in Alaska and its resources turned over to private individuals. Legislation was passed some eight years ago retaining this property, and this railroad was authorized to be built for the purpose of developing it, and within the last year and a half instead of the Government developing its coal for naval purposes, they have closed down.

Mr. SNYDER. Now what would be the real reason for developing that coal if the Navy is to discontinue the use of coal?

Mr. RAKER. I would like to have the facts of why they stopped the development of the coal and the natural resources in Alaska?

Mr. SNYDER. It may be they stopped because they are not going to use coal in the Navy.

Mr. RAKER. Not at all; we did not stop for that reason.

Mr. SHERWOOD. I understood there were two tests of Alaska coal made by the Navy Department, and they made a report as to its suitability for the Navy for battleships and reported it was not suitable on account of the presence of so much sulphur in the coal, and therefore that it was not desirable coal.

Mr. BYRNS of Tennessee. I have seen such statement as that.

Mr. SHERWOOD. There have been two tests made by the Navy Department.

Mr. BYRNS of Tennessee. I want to refer briefly—and then close—to something already discussed by the gentleman from Illinois, and that is the appropriation of \$13,850,622 for the Coast Guard for the purpose of helping to enforce the prohibition law. Nobody can read the statement of Admiral Billard or Commander Root before this committee without being startled and shocked at the manner in which the prohibition laws of this country have been flouted by rum runners. He made a startling revelation when he described the sources of liquors on islands near our country and the number of vessels and the manner in which they brought liquor into this country. He told the committee that if he were given the opportunity of building and manning 323 fast motor boats and was given the use of 20 torpedo boat destroyers and two mine sweepers he would be able in large measure to keep whisky out of this country; that is, to prevent its importation from the high seas.

I do not know of any other way that can be done. He told of ship after ship in which thousands of cases of liquors were brought into this country in the last few months. Whether one agrees with the prohibition laws or not, whether he is a prohibitionist or not, he should believe in the enforcement of our laws, and he must feel that it is the duty of the Congress to appropriate every dollar that is necessary to see that those laws are strictly enforced, because if our laws are not enforced, if the Government does not stand for a strict enforcement of all its laws, we all know it can not retain the respect of the citizens of this country or of the world in general. I am heartily in favor of that appropriation, and I believe from the statement made by Admiral Billard that if given what he desires he will be able to keep out of this country the liquors which are now coming in from the high seas. This puts it up to the prohibition unit, which is also given large sums of money for enforcing the law, to see that it does not come across our borders and to see that it is not manufactured and sold within our borders.

Mr. LINTHICUM. Mr. Chairman, will the gentleman yield?

Mr. BYRNS of Tennessee. Yes.

Mr. LINTHICUM. How much do you think it will take for this appropriation and the other sums appropriated for the enforcement of the Volstead Act?

Mr. BYRNS of Tennessee. We are appropriating something like \$10,000,000, I think, or a little more, for the enforcement of the prohibition act in the Treasury bill.

Mr. SNYDER. Within our borders?

Mr. BYRNS of Tennessee. Yes; within our borders. This carries an appropriation of \$10,084,900 for the acquisition of 323 motor boats and their equipment; \$2,110,000 for recondi-

tioning and equipping destroyers and mine sweepers; and then \$1,065,722 for the pay of the additional personnel necessary to man these boats. My recollection is Admiral Billard stated this would be to an extent temporary. It would not be necessary for any great length of time to maintain such a large force, and possibly it would cost \$10,000,000 a year.

Mr. LINTHICUM. It would cost altogether about \$25,000,000 a year.

Mr. BYRNS of Tennessee. About \$20,000,000.

Mr. LINTHICUM. For five years at \$25,000,000 a year would be \$125,000,000.

Mr. BYRNS of Tennessee. The gentleman knows also that the Coast Guard is instrumental in saving vessels and lives on the high seas. This will be in addition to the other duties.

Mr. LINTHICUM. Is not the gentleman afraid they will not have time to perform other duties?

Mr. BYRNS of Tennessee. I believe from the statement of Admiral Billard that he will be able to cope with this evil that is besetting the country.

Mr. LINTHICUM. Do you suppose the United States courts would have time to attend to all the cases? The number of cases coming before the courts have largely increased since the Volstead Act was passed.

Mr. BYRNS of Tennessee. If we can keep out of this country a million or two cases of whisky every year, there will be a less number of criminal cases before the courts.

Mr. LINTHICUM. I think if you kept that many out of the country there would be just that many manufactured in the country.

Mr. SNYDER. When did the admiral lead you to believe that we would get to the peak of this force ready to operate?

Mr. BYRNS of Tennessee. I could tell the gentleman if I were to quote from the hearings, but my impression is that he stated this fall. I am not certain of that.

Mr. SNYDER. I was wondering whether that was not one of the reasons why it would take five years to clean up the job, because I can not conceive how a man with 235 ships would take five years to sweep the coast clean. He should be able to do it in five months.

Mr. BYRNS of Tennessee. He expects to stop the business. But the gentleman knows that other devices may be adopted, and it may take some time to educate these rum runners into the knowledge that they can not continue to violate the law with impunity, and probably this appropriation would have to be kept up for a series of years, and I take it a certain police force will always have to be maintained.

Mr. SNYDER. I do not question that.

Mr. LINTHICUM. What will you do after the five years?

Mr. BYRNS of Tennessee. We hope it will be eliminated by that time.

Mr. MADDEN. Mr. Chairman, the committee wants to run until 6 o'clock. I yield 45 minutes to the gentleman from Massachusetts, Mr. TINKHAM, and there will be another speaker after him, the gentleman from Massachusetts, Mr. GALLIVAN, who will probably consume the remainder of the time.

The CHAIRMAN (Mr. LEHLBACH). The gentleman from Massachusetts [Mr. TINKHAM] is recognized for 45 minutes.

Mr. TINKHAM. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. The gentleman from Massachusetts asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. TINKHAM. Mr. Chairman, I desire to read certain correspondence between the Rev. Charles S. McFarland, general secretary of the Federal Council of the Churches of Christ in America, and myself, and make certain remarks thereon.

On the 10th of February I received the following letter:

FEDERAL COUNCIL OF THE
CHURCHES OF CHRIST IN AMERICA (INC.),
OFFICE OF THE GENERAL SECRETARY,
New York, February 9, 1924.

Hon. GEORGE H. TINKHAM,
Washington, D. C.

MY DEAR MR. TINKHAM: I have the honor to convey for your information the following resolution passed by the administrative committee of the Federal Council of the Churches of Christ in America regarding the pending House immigration bill (H. R. 6540), so far as it proposes to abrogate the treaty with Japan and to annul the "gentlemen's agreement" without conference or consultation with the Government of Japan.

The administrative committee regards the proposed action as a flagrant violation of accepted principles of courteous and friendly international relations and earnestly requests that the bill not be passed.

The resolution reads as follows:

"Resolved, That the administrative committee of the Federal Council of the Churches of Christ in America, in harmony with the principles repeatedly advocated by the federal council and its executive committee, deplores the proposal of the immigration bill (H. R. 6540) to deny admission to the United States of 'aliens ineligible for citizenship':

"First, because it abrogates treaties and annuls international agreements by an act of Congress without consultation or conference with the nations with which the treaties and agreements were made; and

"Second, because it is unnecessarily and inevitably offensive to the nations affected thereby, and certain to be resented as an unfriendly act.

"Resolved, That these resolutions be sent to each Member of Congress with a suitable covering letter."

Respectfully yours,

CHARLES S. MACFARLAND,
General Secretary.

FEBRUARY 13, 1924.

CHARLES S. MACFARLAND,

Secretary Federal Council of the Churches of Christ in America,
105 East Twenty-second Street, New York, N. Y.

MY DEAR SIR: It is with resentment and indignation that I read your communication of February 9, in which you, representing your organization, presume to advise me in relation to a purely secular matter, namely, the House immigration bill (H. R. 6540).

It is one of the fundamental principles of the American Government, preceding the adoption of the Constitution and embodied in that instrument, that there shall be in the United States complete separation of the church and the state as religious and political entities, and that there shall be no interference one with the other.

The action of certain churches of certain denominations, or, I might more properly say, of certain leaders of certain denominations, in passing resolutions in relation to legislation of a secular character and of raising funds to be used for political elections, as was done in connection with the Anti-Saloon League of America, is indefensible.

It is my settled opinion that some of the great lawlessness and actual crime in this country to-day is directly caused by the loss of respect for the church and its teachings on the part of the people because churches, abandoning spiritual affairs and direction, have become quasi political institutions. As respect for the church and its teachings declines, so must its authority over the hearts and consciences of men diminish.

I have not a drop of blood in my veins which has not been 200 years in America, and my ancestors, as Separatists, came to this country upon the *Mayflower*. I inherit their complete resentment of interference by the state with the church or by the church with the state.

Inclosed is copy of a resolution recently introduced by me in the House of Representatives, which, together with this letter, I should be pleased to have you read to the administrative committee of the Federal Council of the Churches of Christ in America. All the allegations contained therein are supported by documentary or sworn evidence.

Very truly yours,

GEORGE HOLDEN TINKHAM.

[Inclosure.]

House Resolution 82.

Whereas one of the fundamental principles of the American Government preceding the adoption of the Constitution and embodied in that instrument is that there shall be in the United States of America complete separation of the church and the state as religious and political entities, and that there shall be no interference one with the other; and

Whereas certain leaders of sectarian bodies, perverting the great powers of religion during recent years, have actively engaged in partisan elections and in the presentation of legislative programs to the Congress and to other legislative bodies, which are constituted to represent all of the people of the United States in all of their activities; and

Whereas the leaders of such sectarian bodies, in conjunction with large aggregations of business capital and encouraged financially by several men of great individual wealth, have constituted as their political agent an organization known as the Anti-Saloon League of America, with departments or subsidiaries in every State in the Union; and

Whereas the name adopted by this league was and is fraudulent and misleading as to its intentions and purposes, which were to establish complete prohibition and not alone to abolish saloons; and

Whereas for a number of years the Anti-Saloon League of America and its respective State departments and subsidiaries have raised and expended vast sums of money, the amounts, sources, and expenditure of which have no public accounting; and

Whereas such vast sums of money have been used to influence public opinion in various ways, now entirely unsuspected by the American

people, directly to control elections and to pay professional organizers and lobbyists throughout the United States, particularly in Washington, D. C.; and

Whereas for many years the Anti-Saloon League of America, its respective State departments or subsidiaries, have openly and flagrantly violated the national campaign contributions law and the corrupt practices laws of the several and certain of the States; and

Whereas the Anti-Saloon League of America paid campaign expenses of Hon. Andrew J. Volstead while chairman of the Judiciary Committee, having foreknowledge that the representatives of said league would appear before him for legislation, and subsequently did appear before him and obtained the legislation it desired; and

Whereas through practices hereinbefore set forth said Anti-Saloon League of America has successfully added to the Constitution of the United States the eighteenth amendment, and has caused to be enacted into law the national prohibition act, otherwise known as the Volstead law, by the Congress of the United States, and of so-called enforcement acts by the legislatures of several and certain of the States of the Union; has attempted to influence Federal judicial appointments; has denounced judicial officers and decisions; has attempted to influence the President of the United States in his appointments of heads of departments, and actually exercised its insidious influence successfully upon a bureau of an executive department (a bureau whose unparalleled corruption and lawlessness is without example) to the extent that even appointments of persons in the service of such bureau are made with the sanction and approval of the Anti-Saloon League of America: Therefore

Resolved, That a select committee is hereby created, to consist of seven members to be appointed by the Speaker of the House of Representatives, to investigate the activities of the Anti-Saloon League of America and its respective State departments or subsidiaries as hereinbefore alleged in particular and in general; and said committee is authorized to send for persons and papers, to compel the attendance of and to administer oaths to witnesses, to conduct such inquiries at such times and places as the committee may deem necessary, and to report its findings and recommendations to the House of Representatives, either separately or together, with such report as said committee may submit in connection with any proposed legislation.

THE FEDERAL COUNCIL OF THE
CHURCHES OF CHRIST IN AMERICA,
OFFICE OF THE GENERAL SECRETARY,
New York, February 25, 1924.

MY DEAR CONGRESSMAN TINKHAM: In reply to your letter of February 13, first of all may I explain that your references to the Anti-Saloon League have no bearing on any issue in which the Federal Council is concerned, as there is no relationship of any kind whatever between the Federal Council and that body. Therefore there is no reason for bringing your resolution before the administrative committee of the Federal Council, except perhaps for information.

Is not the real question as to the content of the term "secular"? The Federal Council does not consider any question involving principles of right and justice as being secular. Such questions are regarded as moral, and therefore inherently religious and coming under Christian ethics. The measure in question surely involves questions of right and justice.

The Federal Council was constituted by its denominational bodies with this purpose, as stated in the constitution adopted by all those bodies separately, "to secure a larger combined influence for the Churches of Christ in all matters affecting the moral and social condition of the people, so as to promote the application of the law of Christ in every relation of human life." To claim that a church body has no right to protest against an injustice just because it is legislative would be to nullify the constitution of the Federal Council. It is the very separation of church and state that makes it possible to make such protest freely. Suppose that the Federal Council were to perpetrate a public wrong. I should say that Congress would have the right to protest against it if not to prohibit it. Indeed, you yourself are claiming just that right in the bill you introduced on the Anti-Saloon League.

My own recollections of the history of those who came in the *Mayflower* and those who followed them are that they exercised a great deal of influence on matters of state, while at the same time keeping the church free from interference by the state. Indeed, their reason for separating the two was that the church might be free to criticize the actions of the state.

I think the general feeling is that on the one hand there should be organic separation between church and state, neither controlling the other, but that, nevertheless, this does not preclude moral relations between them.

If I remember rightly, the state, during the war and at other times, has sought counsel and support from the churches. Various departments of the Government often call on the Federal Council for counsel and help. This is quite a common occurrence at our Washington office.

Is there not a great difference between organic separation and separation in moral sympathy? As a matter of fact the strictest denominations have always held the right of the church to petition the state, and that is exactly what is done in this case.

In this case our feeling is that this legislation runs counter to the efforts of the churches to maintain social justice. Do you not think, therefore, that they have not only a right but a duty to protest and petition? I rather think the administrative committee regarded the immigration proposal "with resentment and indignation," just as you do their action. The committee which took the unanimous action is composed of the official representatives of 29 denominations, and some of them also date their ancestry back to the *Mayflower*, as well as yourself.

We evidently have an honest difference of opinion here between men entitled to each other's respect, and I suspect many of these men are just as positive as yourself. Doubtless both you and they are conscientiously trying to perform duty. In this case they certainly represent a very great body of public opinion, and several Congressmen have written expressing their appreciation of the interest of the churches. Some Congressmen are actually desirous of getting such expressions of public opinion. As I get the trend of public opinion it means that Christianity is to be applied more and more to these great public moral questions rather than to remain in vague abstractions. Many of the people feel that the weakness of the church has been because it did not exert its influence more directly in affairs of social brotherhood. What is the use of proclaiming justice unless you can apply it to concrete cases? Personally, I would quit the ministry if confined to mere abstractions and prohibited from applying them to public interests.

The people in the churches are rapidly coming to look at all public affairs as matters of Christian ethics. The present problem of immigration, so far as it affects our attitude toward other peoples, is no exception. The leaders of the church are tired of preaching justice in theory and closing their eyes to injustice in practice. If an act of Congress violates a treaty, whether in letter or spirit, it is an injustice. If it treats a treaty or any agreement like a "scrap of paper" it follows the bad example of a nation now suffering for doing so. If, then, this was the view of the administrative committee, would you want them to hesitate to say so? Even if you disagree with their interpretation you surely would want them to express their judgment from the point of view of the Christian principles to which they are committed. Probably they would insist on having as much right as yourself to determine whether or not the question is ethical, and in any event surely Christian ethics are not left entirely to be determined by Congress.

Sincerely yours,

CHARLES S. MACFARLAND.

P. S.—I earnestly trust you will not object to my making this correspondence public, including your name, because it is very important that both points of view should be presented. If you prefer not to use your name I shall probably wish to release it without mentioning your identity.

C. S. M.

HON. GEORGE HOLDEN TINKHAM,
Committee on Appropriations,
House of Representatives, Washington, D. C.

FEBRUARY 29, 1924.

REV. CHARLES S. MACFARLAND,
Secretary Federal Council of the Churches of Christ in America,
105 East Twenty-second Street, New York, N. Y.

MY DEAR MR. MACFARLAND: Your communication of February 25 in answer to my communication of February 13, which was sent to you in reply to one which you sent me under date of February 9, has been received. I am pleased to be informed that "there is no relationship of any kind whatever between the Federal council" and the Anti-Saloon League.

If I read aright your letter of the 25th, it is a statement that the churches included in your organization propose to take a formal and active part in American politics.

Let me point out that this is a pretty dangerous program for the churches. Of course, their ministers and members are, as individual citizens, at liberty and, indeed, ought to be encouraged to act politically with the utmost vigor, but for churches as organizations to attempt this is a grave departure from American policy and a violation of American traditions.

We exempt the property of churches from taxation because they are regarded as apart from the ordinary public organizations and activities of our people and as entitled to this measure of public support because of the purposes which they aim to serve.

The argument of your letter is expressed at so great length and so vaguely that I may be misinterpreting it, but I think not. In any event, I beg you to consider carefully before committing the organized churches of the country to participating in political activities.

You request me to allow publication of my communication of February 13. I appreciate the courtesy on your part of making the request. You have my permission to publish my communication of February 13, provided there is published at the same time this com-

munication, both with my name. As I know you will have no objection, it is my intention at the first opportunity to insert our correspondence in the CONGRESSIONAL RECORD.

Sincerely yours,

GEORGE HOLDEN TINKHAM.

This correspondence was written in ordinary course of office routine and was not originally intended for publication.

Upon reviewing this correspondence I note that in my communication of February 29 to Rev. Charles S. Macfarland I said:

The argument of your letter is expressed at so great length and so vaguely that I may be misinterpreting it, but I think not.

In this sentence I did not intend to be ungracious or to suggest that the subject was not of such importance as to warrant treating it at great length. I appreciate the sincerity of Mr. Macfarland in the position he takes and from which I dissent.

In addition to what the correspondence contains, I should like to state that I know of no political question or issue which could not be denominated either a moral or ethical question or issue or one involving right or justice if it served the will or purpose of any organization so to term it.

There are no limits to the definition of moral, ethical, right, or justice in reference to any political question or issue. The free-silver issue was called a moral question. The tariff has been spoken of as such an issue. The socialist claims that his principles are moral principles and involve right and justice. Whether one person should possess more property than another might be a moral or political question or an issue of right or justice if one wished to make the claim.

If an organization asserts its intention to interest itself in every legislative and political question which it considers moral or ethical or involves right or justice, there is no limit to its participation in any legislative or political matter in which it desires to exert its influence.

Finally I wish to add that until recent years the traditions and philosophy of the Pilgrims who came to Plymouth upon the *Mayflower* in 1620 have directed American action and have been embodied in American policies.

The Pilgrims were not Puritans. They were separatists, and believed in the complete separation of the church and the state as religious and political entities and that there should be no interference one with the other.

The Puritans were nonconformists and dissenters who saw no objection in the state controlling the church or the church the state, but desired the purification of the church, its ritual and practices, and a reform of state authority.

With the advent of Cromwell the Puritans in England controlled the state and consequently the church. Large numbers settled in New England and were fiercely intolerant, cruelly dogmatic, and devotees of fanatical sumptuary law. At one time their political power was so great that they prescribed that no one should have political franchise unless he was a member of one of certain church denominations. But this intolerance and fanaticism of the Puritans was gradually superseded by the tolerant philosophy of the milder Pilgrims, which tolerant and milder philosophy previous to the adoption of our Constitution and until recent days has dominated this great Republic.

A perilous course is being adopted in this Republic if churches, as organizations, are to enter American political activities and if reliance is to be placed upon sumptuary law instead of upon moral suasion and education. [Applause.]

How much time have I consumed, Mr. Chairman?

The CHAIRMAN. Twenty-three minutes. The gentleman has 22 minutes remaining.

APPALLING AND UNBELIEVABLE INCREASE IN ARRESTS FOR CRIME IN THE DISTRICT OF COLUMBIA.

Mr. TINKHAM. Mr. Chairman, under the leave granted to me to extend my remarks in the RECORD, I beg to submit the following:

Statistics of arrests in the District of Columbia, as reported officially by the superintendent and major of police to the Subcommittee on the District of Columbia of the Appropriations Committee, disclose a civic depravity and social disintegration under present conditions and laws which are both appalling and unbelievable. Were they not exact calculations formally submitted to the House of Representatives by the Metropolitan police department, the figures could not be accepted as true.

These statistics reveal that although, according to the census, there was an increase in population from 1910 to 1920 of only 32.17 per cent, and there has been only a very slight further increase to 1923, the following percentages of increase in arrests

for crime between the year 1910 and the year 1923 have taken place:

	Per cent.
Murder	271
Manslaughter	250
Assault with dangerous weapons	307
Assault with intent to kill	28
Robbery	103
Bigamy	83
False pretense	83
Forgery	160
Grand larceny	157
Housebreaking	85
Rape and intent to rape	71
Threats of personal violence	118
Carrying weapons	84
Adultery	201
Fornication	135
Disorderly house	1,388
Soliciting prostitution	2,350
Maintaining of nuisance	250

Where crimes, such as liquor crimes, were not in existence in 1910 the official percentages of increase in arrests, as calculated by the Metropolitan police department, is based upon a comparison with the year in which the law went into effect, and are as follows:

	Per cent.
Illegal possession	700
Manufacture of liquor	223
Selling	1,079
Transporting	4,504
Possession of property designed for the manufacture of liquor	233
Violation of other laws governing the manufacture and sale of malted liquor	6
Drunkenness	121
Drinking in public places	84
Operating a vehicle while under the influence of liquor	850

From 1910 to 1923 the following arrests for drunkenness have been made in the District of Columbia:

1910	3,783
1911	4,888
1912	5,663
1913	5,710
1914	8,889
1915	9,788
1916	9,449
1917	8,687
1918	6,896
1919	6,651
1920	3,568
1921	5,415
1922	6,375
1923	8,368

Operating a vehicle while under the influence of liquor was not made a crime until 1918. From 1918 to 1923 the following arrests for this crime have been made:

1918	53
1919	143
1920	89
1921	166
1922	206
1923	504

From 1910 to 1923 the following percentages of decrease in arrests for crime have taken place:

	Per cent.
Embezzlement	29
Simple assault	12
Disorderly conduct	35
Petit larceny	30
Indecent exposure	62
Nonsupport of wife and children	89
Incorrigibility	56
Indigent or dependent children	46

But little encouragement can be taken from a decrease of 29 per cent in embezzlement and 30 per cent in petit larceny when there are very much larger percentages of increases in robbery, housebreaking, grand larceny, forgery, and false pretense; or from a decrease of 12 per cent in simple assault with much larger percentages of increase in murder, manslaughter, assault with dangerous weapon, and assault with intent to kill.

The decrease of 35 per cent in disorderly conduct between 1910 and 1923 is nearly entirely accounted for by the fact that previous to 1913 cases of drunkenness were often charged to disorderly conduct.

The decrease in arrests for nonsupport of wife and children, for incorrigibility, and on account of indigent or dependent children between 1910 and 1923 is all accounted for by a court decision in 1913 which held that the police department was without authority in these cases.

The District of Columbia is 2,000 per cent more murderous than the city of London. According to the latest statistics, which are for 1922, during that year there occurred in London, with its population of 8,000,000, 28 murders, and there occurred in the District of Columbia, with its population of less than 500,000, 38 murders.

The District of Columbia is 300 per cent more drunken than the city of Paris. According to statistics, in 1923 there were

in Paris, with its population of 3,000,000, only 16,000 arrests for drunkenness, and there were in the District of Columbia, with its population of less than 500,000, over 8,000 arrests for drunkenness.

Many causes may be assigned for these amazing and portentous phenomena of American social decline.

Among the foremost should be placed the abdication of certain sects of the Christian church from their spiritual direction and leadership and their assumption of political and legislative domination. This is particularly evidenced in the District of Columbia by the erection of expensive buildings around the Capitol for the avowed purpose of influencing legislative action, and by the maintenance of professional legislative agents. As respect for the church and its teachings decline so must its authority over the hearts and consciences of men diminish.

Another potent reason is a loss of confidence in and respect for present Congresses and, therefore, for laws passed by them—

Congresses which ruthlessly destroy the rights of the individual and the rights of property, Congresses which themselves even will not obey the mandatory constitutional obligations placed upon them, and so feeble in intellect as to believe that virtue can be produced by law and statute and so cowardly as to surrender their power to legislate to every organized minority with money and power.

But civic depravity and social disintegration have their beginning in the home. One of the highest ideals and greatest sources of strength to American civilization until recent years was the character and permanency of American family life. In the home was built the character of the individual, there were taught the value of self-restraint and the virtues of honesty, truthfulness, and obedience to authority. To-day the American home is in decadence. Between the year 1910 and the year 1923 divorce in the United States and in the District of Columbia has increased over 100 per cent.

Total arrests each year with arrests for violation of speed and traffic regulations indicated so that the table shows the net number of arrests less traffic violations.

[By years from 1910 to 1923, inclusive. United States Census, 1910—331,009; 1920—437,571 Increase 32.17 per cent.]

Years.	1910	1911	1912	1913	1914	1915	1916	1917	1918	1919	1920	1921	1922	1923	Percent of increase.	Percent of decrease.
Total arrests.....	34,003	34,068	35,739	38,309	37,241	37,219	39,377	39,562	43,245	53,356	48,930	56,592	61,057	66,793	96.33	-----
Arrests for speeding.....	1,095	1,491	1,300	1,442	1,655	1,934	3,955	5,096	5,893	8,154	7,051	8,168	8,851	8,970	719.18	-----
Arrests, other violations of traffic regulations.....	-----	-----	-----	2,072	3,214	3,080	4,136	3,806	7,531	8,543	9,847	12,903	16,552	19,206	826.93	-----
Arrests for all other causes.....	32,908	32,577	34,439	34,855	32,372	32,199	31,286	30,660	29,821	36,659	32,032	35,526	35,654	38,562	17.24	-----
Details:																
Murder.....	7	21	22	28	15	25	31	29	26	49	38	44	38	26	271.43	-----
Manslaughter.....	6	2	3	7	3	7	4	14	14	14	28	29	26	21	250.00	-----
Assault with dangerous weapon.....	71	21	116	127	129	162	157	128	157	282	205	196	260	289	307.04	-----
Assault with intent to kill.....	7	97	5	6	13	16	10	16	13	16	23	25	12	9	28.57	-----
Robbery.....	93	105	129	113	77	142	201	118	137	323	224	172	170	189	103.23	-----
Bigamy.....	6	4	5	4	6	6	3	1	11	5	9	7	14	11	83.33	-----
Embezzlement.....	100	62	102	122	96	184	96	155	100	126	56	51	58	71	-----	29.00
False pretenses.....	159	213	182	199	154	189	212	205	178	212	180	232	232	292	83.65	-----
Forgery.....	28	45	83	47	62	72	83	78	82	166	118	92	177	73	160.71	-----
Grand larceny.....	133	105	144	117	134	131	126	106	238	426	491	438	383	343	157.89	-----
Housebreaking.....	246	242	271	296	268	477	484	512	350	462	681	462	629	457	85.77	-----
Rape and attempt to rape.....	14	15	14	9	15	18	21	26	18	16	12	32	28	24	71.43	-----
Total.....	870	932	1,076	1,075	972	1,379	1,428	1,388	1,314	2,087	2,060	1,780	2,027	1,805	107.47	-----
Assault.....	2,787	2,670	2,503	2,511	2,138	2,127	1,872	1,891	1,585	1,727	1,593	2,867	2,050	2,431	-----	12.77
Disorderly conduct.....	9,295	7,624	7,826	8,284	6,235	5,776	5,175	4,857	4,072	4,847	4,531	5,245	5,920	5,969	-----	35.68
Threats of personal violence.....	224	224	243	267	289	261	252	295	238	296	313	379	504	489	118.30	-----
Carrying weapons.....	201	212	234	200	200	238	179	201	221	413	343	297	276	371	84.52	-----
Petit larceny.....	2,457	2,406	2,502	2,325	2,161	1,917	2,079	2,177	2,222	2,426	1,837	1,637	1,815	1,707	-----	30.52
Adultery.....	66	37	46	71	54	73	80	81	78	120	105	132	149	199	201.51	-----
Fornication.....	330	183	224	260	237	626	628	499	566	740	913	733	793	777	135.45	-----
Disorderly house.....	9	18	7	39	40	60	79	69	109	52	42	59	99	134	1,388.88	-----
Soliciting prostitution.....	-----	-----	-----	8	0	28	56	121	134	63	82	109	182	196	2,350.00	-----
Indecent exposure.....	340	304	293	328	194	226	210	155	89	109	83	96	130	126	-----	62.94
Maintaining of nuisance.....	91	136	291	190	152	77	90	61	170	184	319	372	395	824	256.04	-----
Nonsupport of wife and children.....	576	648	710	709	444	200	142	94	80	50	68	76	65	59	-----	89.76
Incorrigibility.....	133	104	129	163	145	78	112	74	68	73	56	102	67	80	56.27	-----
Indigent or dependent children.....	50	21	28	37	19	13	12	42	24	29	31	43	31	27	46.00	-----
Total.....	16,579	14,587	15,026	15,392	12,264	11,700	10,966	10,617	9,656	11,129	10,316	11,169	12,476	12,879	-----	16.33
Liquor crimes:																
Illegal possession.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	21	320	921	1,492	700.48	-----
Manufacture of liquor.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	13	79	83	42	223.08	-----
Selling.....	117	110	97	85	98	126	129	153	639	774	100	371	767	1,380	1,079.47	-----
Transporting.....	-----	-----	-----	-----	-----	-----	-----	-----	21	28	99	64	645	967	4,504.76	-----
Possession of property designed for the manufacture of liquor.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	6	20	20	233.33	-----
Violation of other laws governing the manufacture and sale of malted liquor.....	31	19	13	50	28	34	24	12	16	1,808	93	145	97	33	6.45	-----
Sheppard law.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
Drunkenness.....	3,783	4,888	5,663	5,710	8,889	9,788	9,449	9,687	6,896	6,651	3,568	6,415	6,375	8,368	121.20	-----
Drinking in public places.....	-----	-----	-----	-----	127	119	103	167	244	236	63	99	149	234	84.25	-----
Operating a vehicle while under the influence of liquor.....	-----	-----	-----	-----	-----	-----	-----	-----	53	143	89	166	206	504	850.94	-----
Total.....	3,931	5,017	5,773	5,845	9,142	10,067	9,705	10,019	7,769	9,640	4,046	7,255	9,266	13,040	231.72	-----

¹ The only cases of nonsupport of wife and children handled by the police are when indictments have been brought and the dependents are out of this jurisdiction. The court of appeals held on Nov. 1, 1915, that the police department was without authority in cases of this character, and warrants issued on this charge should be served by the United States marshal. In cases reported to the police department effort is made to locate the defendants and if successful the information is furnished to the office of the marshal.

Under a similar ruling, in cases of incorrigibility or indigent or dependant children the only cases coming to the attention of the police are where parents or guardians bring the children to a police station where they are temporarily cared for at the house of detention until the juvenile court can take jurisdiction.

Prior to 1913 violations of the traffic regulations were included with violations of the police regulations.

Soliciting prostitution, prior to 1913, was charged under the head of vagrancy.

Until the passage of the national prohibition law, the possession of liquor, or possession of property designed for the manufacture thereof, were not violations of law "selling" prior to the passage of the local prohibition law included the selling without a license; the "violation of other laws governing the manufacture and sale of malted liquor" prior to the passage of this act included selling on Sunday, selling after hours, selling to minors, and to intoxicated persons. Prior to the passage of the Sheppard Act, drinking in public places was governed by what was known as the Jones-Works law, approved Mar. 4, 1913.

² Includes bringing liquor into military zone and violation of the "Reed bone dry law."

Mr. BYRNS of Tennessee. Mr. Chairman, I yield to the gentleman from Massachusetts [Mr. GALLIVAN] 30 minutes.

Mr. GALLIVAN. Mr. Chairman, I would like to have the opportunity to talk to a quorum.

Mr. MADDEN. We are good listeners.

Mr. GALLIVAN. In what I say I shall not be talking to the newspapers. I want to talk to the House. I would like to have Members of the House listen to what I say. That is without any criticism of my colleague [Mr. TINKHAM].

Mr. HERSEY. Mr. Chairman, will the gentleman yield?

Mr. GALLIVAN. If you are going to ask some question to help the House and me, I will answer yes. But if the gentleman is going to ask me a question that he thinks will embarrass me, then no.

Mr. HERSEY. I could not embarrass the gentleman.

Mr. GALLIVAN. I do not think you could.

Mr. HERSEY. Does not the gentleman think he has an exclusive and appreciative audience to listen to him?

Mr. GALLIVAN. I have when the gentleman is present. [Laughter.]

Now, Mr. Chairman, I am willing to talk to this handful of representatives of the great American people, and I am astounded to see that there is such a handful of Representatives in the House when every one of the Members is drawing a salary daily and is absent from the House when it has under consideration an important bill.

I got out of a sick bed, against my doctor's advice, to come here this afternoon because I am a member of the subcommittee which reported this bill, and I did not know how long general debate would last, and against his urgent advice I am here.

Mr. MADDEN. The gentleman is always here when there is any work to do. [Applause.]

Mr. GALLIVAN. I thank my chairman, who is also my leader on my committee. I am always at the committee when there is work to do, even at a sacrifice sometimes of my health.

This morning at 9 o'clock, propped up in bed, I read every word of the interesting if not illuminating discussion of the Coast Guard which was held in this Chamber yesterday, and I want to confess frankly that I learned nothing from it.

I sat with the subcommittee on deficiencies of the House Committee on Appropriations, of which the great chairman from Illinois is also chairman, during all the time we had the Coast Guard officials present, and I think I asked, perhaps, more questions than any other member of the committee excepting our chairman.

I am sorry that the gentleman from Upshawville is not here; that the gentleman from Texas is not in his usual seat; and that the gentleman from Michigan is not up there in the second last row, where he once in a while interrupts us who do not believe in sumptuary legislation.

But I have not come here to oppose the bill. I did not file a minority report, as my colleagues on the subcommittee will say to you; I simply reserved my rights. I may vote for this appropriation; I may, and that is the reason I reserved my rights.

Mr. MADDEN. This is a question of law enforcement, irrespective of whatever anybody's opinion may be on prohibition, is it not?

Mr. GALLIVAN. Absolutely. And the gentleman will recall that when I first addressed Admiral Billard, the commandant of the Coast Guard, I distinctly said—and it is in the record of the hearings—"I am against all rum runners and rum running, but, as a good Democrat, I am against home markets." Somehow or other somewhere in this bill there is a suggestion that the home market will be protected, and that if you drive the rum runner from the seas the land bootlegger will get the best of it. We have a home-market club in my city and it is composed exclusively of Republicans. And I want some of you Democrats not to forget that, and to consider whether the land bootleggers, who are going to vote the Republican ticket in this presidential election, have not reached somebody somewhere to get a provision like this in an appropriation bill, so they will not have any more competition but protection to home industries.

Mr. HILL of Maryland. Will the gentleman yield?

Mr. GALLIVAN. Certainly.

Mr. HILL of Maryland. The gentleman, as I understand it, suggests that this is for the protection of that flood of moonshine which Commissioner Haynes refers to?

Mr. GALLIVAN. No; I did not desire to suggest it; I simply hinted at it.

Mr. HILL of Maryland. Well, a hint from the gentleman is always an able suggestion, I will say.

Mr. GALLIVAN. Well, the gentleman knows good things when he hears them. [Laughter.]

This deficiency appropriation for the increase of the Coast Guard is something of an innovation. The Coast Guard is older than the Navy, and for more than a century it has protected our coasts against enemies from without and succored our own and other vessels in distress. There are no better traditions associated with our Government than hover about the Coast Guard, and you gentlemen from the interior may find romance and heroism and tragedy recorded if you will come to

the New England coast for your summer vacation and travel up and down the coast, see the wrecks of ships that have gone ashore in the storms and hear the stories of rescue of men and women by the Coast Guard that patrols that coast day and night, the good Samaritans of Uncle Sam who are ever ready to sacrifice their own comfort and life itself to rescue those who are in peril.

I have lived with the Coast Guard all my life, and no one can have a higher appreciation of its benefit to the Government and to humanity than I. I have on this floor fought for better consideration of this service, for larger appropriations, for improved facilities to extend its usefulness and to increase the pay of the men who give their lives to its humanitarian efforts. But Congress has been conservative in its appropriations for the Coast Guard, and last year we appropriated a total of about \$11,000,000 for this great service. Here we propose to give an additional appropriation of \$14,000,000 to the Coast Guard, for what? To enable it to assist the prohibition unit to enforce the Volstead law, with the explanation that the prohibition unit has broken down and is unable to check the inflow of foreign liquors into this bone-dry country.

It is true that the Coast Guard has from the beginning operated against smugglers, but the officers told the committee that so effective had been this part of the service that long ago smuggling became a very insignificant feature of violations of our laws.

The Coast Guard has been able to devote its time and effort to the rescue of shipping, the preservation of life, and the protection of the sea lanes through which the commerce of the world passes in keeping safe the means of travel and transportation between America and the rest of the world.

But Admiral Billard explained to the committee that "higher-up" authority had directed the Coast Guard to submit estimates for this appropriation with the purpose of equipping the Coast Guard for combating the smuggling of liquor into this country. I have been wondering who the "higher up" is who proposed this change of policy since we passed the Treasury bill a few weeks ago. I do not believe it is Secretary Mellon, who is the head of the Treasury Department and in control of the Coast Guard, and I do not believe that President Coolidge is the "higher up" who has inaugurated this new policy.

I suspect that Admiral Wayne B. Wheeler, of the Anti-Saloon League, has, through Commodore Haynes, of the Prohibition Bureau, injected himself into the situation in an effort to utilize the efficient Coast Guard to restore the prestige of the Volstead law and the enforcement officers. I can imagine Wayne B. Wheeler singing:

O, I am a cook and a captain bold,
And the mate of the *Nancy Brig*,
And a bo'sen tight and a midship mite,
And the crew of the captain's gig.

Admiral Wheeler might not fit into the Coast Guard, but his ambition and his confidence in himself is illustrated by the lines of Gilbert and Sullivan, "My object all sublime, I shall achieve in time, to let the punishment fit the crime." If Wheeler can have the gallant Coast Guard make prohibition a success, it will redound to the glory of the Anti-Saloon League and Wayne B. Wheeler.

Mr. SHERWOOD. The gentleman has forgotten about Anderson, of New York.

Mr. GALLIVAN. Well, he is not a national officer. It is admitted by the Coast Guard officers that they have been able to make a check of 5 per cent in smuggling of liquor since the inauguration of this new policy, and that, with the expenditure of an additional \$14,000,000, they may be able to increase this check to 10 per cent. I would not like to see the Coast Guard make a record of 10 per cent efficiency, even in checking smuggling. That would be a blot on the escutcheon of the Coast Guard. If we are to send this Coast Guard into the service of rum running, I would like to see it equipped for success, not for failure. I for one would prefer to vote an appropriation of fifty or one hundred million dollars for the Coast Guard and success than \$14,000,000 and failure, for the appropriation we here propose does not mean control of smuggling.

I recall distinctly asking Admiral Billard, "If we give you all these ships, all this money, and all these men, are you going to stop rum running?" And he said, "I do not know." I said, "Are you coming back every year and ask for a similar appropriation?" He said, "I do not know." And the distinguished chairman of my subcommittee, who is in this audience, said, "Oh, what is the use of evasion; we are establishing a police force on the high seas"—I am not quoting his exact words—

"the Coast Guard as the police force of the sea, and you know we have got to keep it up."

Of course, it does not mean clearing the seas of rum runners, but an annual appropriation to continue the contest with increasing effort to defeat the law and increased appropriations to enable the Coast Guard to combat that effort. If we are in earnest in this new policy of turning the Coast Guard from its duties of safeguarding navigation to stop rum running, I suggest that the gentleman from Michigan offer an amendment to increase the appropriation to \$100,000,000; that will enable the Coast Guard to equip itself with the vessels and the men to make effective war on the liquor smugglers, whether they are English, French, or Italian, or of any other nationality; and also be ready for war if international complications develop in the contest. If we are going to suppress liquor smuggling, we will have to ignore treaties and international relations and fight smugglers regardless of the flag under which they sail. The Coast Guard can be relied upon to make that fight if the Congress stands behind it. But let us not send this Coast Guard into a contest without proper equipment or without the backing of the Government in whatever it may do to suppress the smuggling of liquor from foreign territory into the United States in defiance of our sacred Volstead law. Let us go the whole hog in this new departure or not go into it at all. We have appropriated millions of money to enforce the prohibition law, and the condition has been growing worse.

And yet when we ask for a soldiers' bonus we are told that America can not afford so much money every year to give the boys who sacrificed everything from 1917 to November 11, 1918, adjusted compensation; but so far as I can recall the prohibition unit can come in here every week and get any amount of money it wants for the enforcement of prohibition, and there has been nothing like enforcement since we started the first dollar on its way, except the closing of the corner saloon, which all men saw with delight.

While Commissioner Haynes—and I hate to use this word, because it is almost my own name—gallivants about the country telling the people that the Volstead law is enforced and that prohibition is a success, and while Wayne B. Wheeler spreads his publicity to the same effect, we all know that defiance of the law is on the increase. Long lists of arrests and fines and seizures do not testify to law enforcement. They simply emphasize the fact that the law is not enforced; that it is not respected or feared. The Prohibition Commissioner may think that his sole duty is to make arrests, to seize liquors, to search citizens and their property without warrants, and to inaugurate a reign of terror, but that was a method of lawless law enforcement discarded by the men who wrote the Declaration of Independence and adopted the Constitution of the United States, in which the prohibitions were against arbitrary government and not against the people. The shall-nots in the Constitution were against the Government, against the Congress, the Executive, and the courts, and not against the people who pay the expenses of the Government. And those prohibitions are still a part of the Constitution.

President Nicholas Murray Butler, of Columbia University, recently wrote to Commissioner Haynes:

From the standpoint of the citizen our law is a unit. When I urge obedience to law, I mean obedience to the whole body of American law, Constitution and statutory. I mean the first, the fourth, the fifth, the sixth, the tenth, the fourteenth, and the fifteenth amendments as well as the eighteenth. To select one provision of law for emphatic enforcement at huge cost in derogation of all other provisions of law is itself in spirit a lawless act, and thereby offers incentive to that lawlessness which the genuinely moral and intelligent element of our citizenship are striving by all possible means to check.

I commend this sane expression of law enforcement to the prohibition commissioner and to the Members of this body who recite long lists of arrests and tables of fines as evidence of law enforcement.

Why, gentlemen, we are not even protected by that provision of the Constitution which grants us immunity from arrest in going from the sessions of Congress to our homes. Under the reign of terrorism inaugurated here in the National Capitol by the commissioner of prohibition a United States Senator was shot down here within the shadow of the Capitol on the one principal thoroughfare designed to connect the legislative and the executive branches of the Government. If there be one street in Washington where a Member of Congress should feel safe to walk, it should be Pennsylvania Avenue; but a few weeks ago Senator GREENE, of Vermont, a man who served long in this House, where we all learned to respect his great ability, his untiring industry, and love his delightful personality, was shot down as he and his wife were

walking on the Avenue on their way home. I do not propose to make charges against any officer of the law, but all the evidence I have been able to secure indicates that the only shots fired on that night were fired by the prohibition officer who was trying to arrest two men he suspected as bootleggers. There has been no reliable evidence produced to indicate that the men suspected were violating the law.

They had a copper kettle, which might or might not have been designed as part of a still, and they resisted arrest or ran away, as most of us might be tempted to do when chased by a prohibition officer under the license they exercise here in the National Capital. They were in an alley, and Senator GREENE was on the broad avenue. The Senator was shot; the prohibition officer had a gun, and after the "accident" four chambers of his gun were empty. One of our colleagues here saw the "accident" and has testified that the only shots fired were by the officer. Granted that it was an accidental shooting of a Senator, it is the system of license granted to these enforcement officers that is responsible for the deplorable affair.

The Coast Guard would not have fired at alleged bootleggers in a dark alley and hit a Senator out on the Avenue, so while we are about it we might substitute the Coast Guard for the Prohibition Bureau and give the guard complete control of the effort to enforce the law.

But this accident to Senator GREENE was not an isolated case. The enforcement officers have time and again chased alleged bootleggers through the busiest down-town streets, shooting recklessly, as well as violating all traffic regulations and endangering the lives of scores and even hundreds of innocent citizens. These prohibition sleuths appear to have been imported from the mountains of Kentucky and North Carolina, where they had some experience in potting "moonshiners," and they operate in the congested area of the city as they did in the lonely mountains, shooting at a head whenever they could on the theory that only lawless "moonshiners" inhabited the region. And I think we might admit that to the prohibition-enforcement officer all men—yes, all women and children—are criminals until they have proven to the prohibition unit that they are innocent.

It appears that Congress has become a rather cheap institution when a Senator can be shot down on the street by a prohibition officer and that officer permitted to continue in his official position even when the life of the Senator was hanging by a thread, surrounded by the ablest physicians of the city and with his family notified that the end might come at any time.

To my absolute disgust, the complacency with which both branches of Congress have looked upon that disaster is something I have never heard of in my public life. The life of a Senator was as nothing to the work of the prohibition officer, who was promptly bailed out of the District police station, that he might continue his raiding in the search for evidence of Volsteadian crime.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BYRNS of Tennessee. I yield the gentleman five additional minutes.

The CHAIRMAN. The gentleman from Massachusetts is recognized for five additional minutes.

Mr. GALLIVAN. Manslaughter is not a crime to be compared to that of being suspected of violating the Volstead law.

Mr. CRAMTON. Will the gentleman yield?

Mr. GALLIVAN. Yes.

Mr. CRAMTON. I wonder whether the gentleman from Massachusetts was distressed by the complacency to which he has referred or by the failure of those who are opposed to the enforcement of the law—

Mr. GALLIVAN. I yielded for a question and did not yield for a speech. I refuse to yield any further.

The CHAIRMAN. The gentleman declines to yield further.

Mr. CRAMTON. The gentleman recognizes I am present.

Mr. GALLIVAN. Sit down, please. Wayne Wheeler is talking.

In the days of King James II the order of the King was sufficient to take a man's estates, his wife and daughters, and his life. We have reached a condition under prohibition that borders on that old autocracy. The prohibition commissioner or his subordinates give the order to search homes without warrants, arrest innocent people simply on suspicion of ignorant and violently reckless men who assume to be the law—not only the prohibition law, but all law—ignore such law as they find inconvenient to their purposes and apply their own will or their momentary whim.

I am in favor of law enforcement, but in a lawful way, and with the full body of the law taken into consideration, and by responsible and intelligent officials, not by men who use guns so recklessly and so ignorantly as to shoot a Senator, out on

Pennsylvania Avenue, when aiming at a suspected bootlegger running the other way. If we are to hand a part of prohibition enforcement over to the Coast Guard, let us give the whole job over to the Guard, and I can assure you from my acquaintance that when they shoot at a suspected bootlegger going north they will not hit a Senator on the street to the south. Coast Guard men go after the object they have in view, whether it is a wrecked ship or a poor, drowning man in the sea, or a smuggler who is trying to get away from the clutches of the law. And they will not shoot lawmakers when they are sent to catch lawbreakers.

As I have said before, this Volstead law was to be accepted as a great boon to the people who were waiting impatiently for the action of Congress, as the children of Israel waited for Moses to bring them down from the mountain the tables of stone on which the Almighty had written the law. Volsteadism was to be the new civilization and the people were to fall down and worship it and its promoters with never a question as to its heavenly origin. It was to enforce itself without a dollar of expense to the taxpayers, but we have appropriated about \$50,000,000 for the expenses of the prohibition unit in the last four years, and are now about to appropriate a paltry \$14,000,000 to enable the Coast Guard to stop the smuggling of liquor from all parts of the world, check the wildest debauchery of intemperance we have ever known and the greatest increase of crime that has ever followed any action of Congress in the way of legislation for the general welfare. If the Coast Guard is to restore respect for law and try to make the Volstead law effective, let us appropriate a hundred millions for that old, gallant, courageous institution that it may make a clean job of it. Do not stop with just enough money to make a 10 per cent law enforcement. Make it a hundred per cent enforcement and pay the bill for having enlisted in the effort to make the world moral by legislation. Let us go through with it if we bankrupt the Federal Treasury and the American people. That is what we will have to do before the Volstead law becomes effective under the inefficient organization now in control of enforcement.

Before my friend from Michigan leaves the Chamber I want to ask him, when we reach the bill under the five-minute rule, to increase this appropriation from \$14,000,000 to \$100,000,000, and then I will gladly vote for it.

Mr. CRAMTON. Will the gentleman yield?

Mr. GALLIVAN. For a question.

Mr. CRAMTON. Is the gentleman hoping that if we increase it enough it will eventually be defeated?

Mr. GALLIVAN. I do not think so. I think the autocracy of Wayne Wheeler can do anything in this House with an appropriation. He must get the approval of his leader, though; I know that, and that is the reason he can not now promise me that he will increase this appropriation. [Applause.]

Mr. CRAMTON. Mr. Chairman, will the gentleman yield?

Mr. GALLIVAN. Having mentioned the gentleman, of course, I will yield.

Mr. CRAMTON. And mentioned the gentleman in an offensive manner, because the gentleman from Massachusetts knows as well as I do, and as this House does, that the gentleman from Michigan does not take orders from anyone, and the gentleman from Massachusetts would be very quick to resent it if I were to insinuate that he was taking orders from an organized opposition to law enforcement, and I do not so insinuate.

Mr. GALLIVAN. Mr. Chairman, I am inclined to think that perhaps the gentleman does not take orders, but I think the gentleman has interviews. Personally, I take orders from no one, on this question at any rate, and I know of no organized opposition.

The gentleman from Michigan [Mr. CRAMTON] recently discussed the Charge of the Light Brigade, and I suggest that he do not send the Coast Guard into the jaws of death, into the mouth of hell against rum runners with a paltry \$14,000,000 for equipment of staunch ships and guns, for they are the boys who will follow the example of the Charge of the Light Brigade—

Theirs not to make reply,
Theirs not to reason why,
Theirs but to do and die,
Cannon to right of them,
Cannon to left of them,
Cannon in front of them,
Into the jaws of death,
Into the mouth of hell
Rode the six hundred.

We have heard much about the desperate characters engaged in rum running and the heroism of the prohibition officers who have been assigned to this duty; but you propose to send the Coast Guard against the rum pirates with little additional equipment, mostly of small motor boats, and assign to that service the work of cleaning up the mess that prohibition has created for the Government, and I would cheerfully join the gentleman from Michigan [Mr. CRAMTON] in making an appropriation that will enable these men to go into battle with the rum pirates in a way to show that the smuggling of liquor can be stopped, even though bootlegging and moonshining continue to flourish on land and in the prohibition States. If we want to make the punishment fit the crime, let us make the appropriation fit the work to be done.

I have told you already that I will probably vote for this bill, and I want the gentleman from Michigan to know that.

Mr. CRAMTON. Will the gentleman yield so that I may ask a question?

Mr. GALLIVAN. And if he will make it \$100,000,000, I will vote for it more gladly and with all my heart, whereas now I am voting for it half-heartedly.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. BYRNS of Tennessee. I yield the gentleman from Massachusetts three additional minutes.

Mr. CRAMTON. I just want to ask if the gentleman from Massachusetts was here to-day to vote for the Winslow bill?

Mr. GALLIVAN. Before the gentleman from Michigan came in I explained to the House that for five days I have been sick in bed, and that I am here to-day against my doctor's advice.

Mr. CRAMTON. The gentleman having missed the roll call on this important question, ought not to make insinuations about an absence of mine from the floor for a few minutes, even though the gentleman from Massachusetts might be speaking.

Mr. GALLIVAN. Well, the gentleman is here now and can speak for himself in his own good time. The gentleman knows how to talk and knows where to get thoughts and suggestions. I have to think up my own. [Laughter.]

Mr. CRAMTON. Will the gentleman yield further?

Mr. GALLIVAN. Yes.

Mr. CRAMTON. The gentleman, perhaps, might be well served if he would locate a source for suggestions.

Mr. GALLIVAN. If the gentleman will give me a tip, I would like to have it.

Mr. CRAMTON. I would be very glad to censor any of the gentleman's speeches he desires.

Mr. GALLIVAN. I have to work overtime sometimes trying to think just what to say that is new. I have made a hundred speeches in this House against the gentleman's position, but I am going to finish my own speech; my own speech.

Mr. CRAMTON. Mr. Chairman, the gentleman is not unique in that, and the gentleman is again trying to cast an underhanded insinuation, and it is not like the gentleman.

Mr. GALLIVAN. Oh, do not get excited.

Mr. CRAMTON. I will say that I make none except my own, and apparently sometimes they get a little under the skin of the gentleman from Massachusetts.

Mr. GALLIVAN. They never hurt me. I do not get any votes for what I say here. I do not think the gentleman gets any votes in his part of the country. I do not know that I get any assistance from any speeches I make here on this subject. I mean political assistance, of course. Whether the gentleman does or not is unknown to me, but he comes from a district where I happen to know, in one part of it, there is plenty of rum for those who want it, and I will compare Boston, as a dry city, with any big city in America. I am not going to say it is bone dry, but when Wayne B. Wheeler told me some months ago that he would have them spitting cotton up in Boston, just to get even with me, he did not frighten me in any way, either mentally or physically or any other way. I am sorry to say there are a few rum runners off the coast of Boston, about 40 miles off, and how they ever get to Boston is beyond me.

I do not know that I have anything else to say, Mr. Chairman and gentlemen. I want to repeat that if the gentleman from Michigan will increase this appropriation to \$100,000,000 or even to \$50,000,000 I will gladly vote for it. Let us make the Coast Guard what it has always been, efficient all the way down the line. The gentleman knows that Admiral Billard told us that he could not promise when he would clear the seas of rum runners, and once more I must remind the gentleman from Michigan that his party being a home-market party, by this legislation is protecting a home industry, and therefore

all the land bootleggers will give three cheers when this bill goes through. [Applause.]

Mr. MADDEN. Mr. Chairman, I yield five minutes to the gentleman from Colorado [Mr. VAILE].

Mr. VAILE. Mr. Chairman, the hour is rather late, and I thank the gentleman from Illinois [Mr. MADDEN] for granting me time at this hour of the day. I do not care particularly whether gentlemen stay to listen to me or not, because what I want to say is to be said for my own moral satisfaction. I think it is something that ought to be said.

To-day, or at least to-morrow, there will probably be received by the Senate of the United States the nomination of a new Secretary of the Navy. Why any man should want to take that position when he must know that he will be accorded the fiercest possible kind of effort to discredit and besmirch him as the first of President Coolidge's appointees I can not understand. At all events, he will be a brave man who will take that position, and such bravery ought to be a substantial guaranty to us that he will perform the duties of the office in an honorable and patriotic manner. I do not want the occasion to pass into history without saying a word in behalf of the Secretary who has just retired, Mr. Edwin Denby. I want to express my belief that in Secretary Denby, who the other day resigned from the office of Secretary of the Navy, we have lost an honest, a faithful, and an efficient public servant. [Applause.] I think we have lost a man who has been devoted to his work and devoted to the country, and I think the country will soon realize that. I for one resent the imputation jumped at in a moment of legislative hysteria that any of his acts have been detrimental to the United States. This certainly has not yet been proved, and I do not believe that it ever will or can be proved. His acts in approving the oil leases were at least in accordance with law, in accordance with statutory authority conferred during the preceding administration, and at the instance and request of his predecessor in office, Secretary Daniels.

Secretary Denby, who from his eagerness to help his country, without any thought of his personal glory or advancement, served in the World War as an enlisted man in the Marine Corps, now goes back as a reserve officer in his beloved service. I believe that he carries with him the hearty good wishes of the American people, and that the American people, sound and sensible of heart and mind, are already beginning to resent the injustice which has been done him by the legislative lynch law which seems to have become a congressional habit.

I am very sure that the people of the United States are beginning to resent the contemptible meanness which has recently attempted to attach odium to other public officers on ridiculously inadequate and irrelevant grounds.

There may be some parts of the country where it is possible to drag the name of the President of the United States into an oil scandal because he sent two telegrams to a Washington newspaper man on matters which the very slightest inquiry would have shown to be entirely unconnected with the subject, one of those messages relating to the government of the District of Columbia and the other an ordinary message of civility and courtesy in acknowledgment of a similar one to him.

There may be some parts of the country where the people can be induced to swallow that kind of a pettifoggery fraud, but I can hardly believe it. Certainly my own people are not so narrow or so stupid, and one of the strongest campaign arguments I could make would be to ask them if they propose at the next general election to intrust their destiny to men who could commit or indorse such political chicanery. [Applause.]

Mr. MADDEN. Mr. Chairman, I understand the principal connection that the President has with the oil scandal is the fact that he was sworn into his office of President by the light of an oil lamp.

Mr. VAILE. I was going to develop that one subject, and I thank the gentleman for mentioning it. Why do we not get a real scandal about the President while we are about it? Why not draw attention to the President's real connection with the oil interests, a connection and a dependency created at the very instant when he took his oath of office? Have you forgotten that that oath was administered by the light of a kerosene lamp? Just think of it, gentlemen! In the sinister darkness of a New England homestead, yea, even in the small hours of the morning, the favorite time for the initiation of nefarious undertakings, the new President raised his hand in the rays furnished by the Standard Oil Co. or some other arm of the oil octopus.

Oh, my countrymen, how can we endure such a disgrace!

We can not unless we get back to sanity. God grant that may be soon. The country is tired of breathing and moving

in the fog of hysteria spread from hearsay, hearsay generated by suspicion, suspicion spawned by malice.

The country wants work from Congress, not political stench-pots. [Applause.]

Mr. BYRNS of Tennessee. Mr. Chairman, will the gentleman from Illinois yield?

Mr. MADDEN. Yes.

Mr. BYRNS of Tennessee. Is it the purpose of the gentleman to continue with the consideration of this bill to-morrow?

Mr. MADDEN. It is. It is possible that we may have to give way to the Pension Committee at some time during the day for a short time. Mr. Chairman, I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. LEHLBACH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 7449, the first deficiency appropriation bill, fiscal year 1924, and had come to no resolution thereon.

ADJOURNMENT.

Mr. MADDEN. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; and accordingly (at 5 o'clock and 53 minutes p. m.) the House adjourned until to-morrow, Friday, March 14, 1924, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

397. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination and survey of Deep River, Wahkiakum County, Wash., and entrance thereto (H. Doc. No. 218); to the Committee on Rivers and Harbors and ordered to be printed.

398. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Bellingham Harbor, Wash.; to the Committee on Rivers and Harbors.

399. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examinations and survey of Onancock River, Va. (H. Doc. No. 219); to the Committee on Rivers and Harbors and ordered to be printed.

400. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, report on preliminary examination of Puyallup River, Wash., with a view to preparing plans and estimates of cost for the prevention and control of floods on said river and its tributaries, and to determining the extent to which the United States and local interests should cooperate in carrying out any plans recommended (H. Doc. No. 220); to the Committee on Rivers and Harbors and ordered to be printed, with map.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. ANTHONY: Committee on Appropriations. H. R. 7877. A bill making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1925, and for other purposes; without amendment (Rept. No. 288). Referred to the Committee of the Whole House on the state of the Union.

Mr. WINTER: Committee on War Claims. H. R. 913. A bill referring the claim of the State of Rhode Island for expenses during the war with Spain to the Court of Claims for adjudication; with amendments (Rept. No. 289). Referred to the Committee of the Whole House on the state of the Union.

Mr. FAIRFIELD: Committee on Insular Affairs. H. R. 6583. A bill to amend the organic act of Porto Rico, approved March 2, 1917; with amendments (Rept. No. 291). Referred to the Committee of the Whole House on the state of the Union.

Mr. HASTINGS: Committee on Indian Affairs. H. R. 4462. A bill to amend an act entitled "An act authorizing the payment of the Choctaw and Chickasaw town-site fund, and for other purposes; with an amendment (Rept. No. 293). Referred to the Committee of the Whole House on the state of the Union.

Mr. COOPER of Ohio: Committee on Interstate and Foreign Commerce. H. R. 8623. A bill granting the consent of Congress to the Pittsburgh, Youngstown & Ashtabula Railway Co., its

successors and assigns, to construct a bridge across the Mahoning River in the State of Ohio; without amendment (Rept. No. 292). Referred to the House Calendar.

Mr. HOWARD of Oklahoma: Committee on Indian Affairs. H. R. 4818. A bill to perfect the title of purchasers of Indian lands sold under the provisions of any act of Congress and pursuant to regulations of the Secretary of the Interior; with an amendment (Rept. No. 294). Referred to the Committee of the Whole House on the state of the Union.

Mr. GARBER: Committee on Indian Affairs. H. R. 5325. A bill conferring jurisdiction upon the Court of Claims to hear, examine, consider, and adjudicate claims which the Choctaw and Chickasaw Indians may have against the United States, and for other purposes; with an amendment (Rept. No. 295). Referred to the Committee of the Whole House on the state of the Union.

Mr. NEWTON of Minnesota: Committee on Interstate and Foreign Commerce. H. R. 6724. A bill granting the consent of Congress to the counties of Sibley and Scott, Minn., to construct a bridge across the Minnesota River; without amendment (Rept. No. 299). Referred to the House Calendar.

Mr. BURTNESS: Committee on Interstate and Foreign Commerce. H. R. 6955. A bill granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Potter County and Dewey County, S. Dak.; without amendment (Rept. No. 300). Referred to the House Calendar.

Mr. GIBSON: Committee on the District of Columbia. S. 1339. A bill to authorize the widening of Georgia Avenue between Fairmont Street and Gresham Place NW.; without amendment (Rept. No. 301). Referred to the Committee of the Whole House on the state of the Union.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. WINTER: Committee on War Claims. H. R. 912. A bill for the relief of John H. Barrett and wife; with amendments (Rept. No. 290). Referred to the Committee of the Whole House.

Mr. SNYDER: Committee on Indian Affairs. H. R. 2875. A bill to provide for the addition of the names of certain persons to the final roll of the Indians of the Flathead Indian Reservation, Mont.; without amendment (Rept. No. 296). Referred to the Committee of the Whole House.

Mr. HOWARD of Nebraska: Committee on Indian Affairs. H. R. 6328. A bill for the relief of Charles F. Peirce, Frank T. Mann, and Mollie V. Gaither; without amendment (Rept. No. 297). Referred to the Committee of the Whole House.

Mr. BOX: Committee on Claims. S. 1219. A bill for the relief of Margaret Nolan; with an amendment (Rept. No. 298). Referred to the Committee of the Whole House.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. ANTHONY: A bill (H. R. 7877) making appropriations for the military and nonmilitary activities of the War Department for the fiscal year ending June 30, 1925, and for other purposes; committed to the Committee of the Whole House on the state of the Union.

By Mr. GARBER: A bill (H. R. 7878) conferring jurisdiction on the Court of Claims for adjudging the rights of the Otoe and Missouri Tribes of Indians for compensation on a basis of guardian and ward, and conferring jurisdiction on the Court of Claims to adjust the claims between the Otoe and Missouri Tribes of Indians and the Omaha Indians to certain moneys received by the Omaha Indians; to the Committee on Indian Affairs.

By Mr. MERRITT: A bill (H. R. 7879) to provide for the purchase of additional land for the enlargement of the site of the public building at Stamford, Conn.; to the Committee on Public Buildings and Grounds.

By Mr. HOWARD of Oklahoma: A bill (H. R. 7880) to enlarge, extend, and remodel the post-office building at Tulsa, Okla., or to authorize the purchase of a site and erection and completion of a building thereon, in the discretion of the Secretary of the Treasury; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7881) for the purchase of a site and the erection of a public building at Pawnee, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7882) for the purchase of a site and the erection of a public building at Vinita, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7883) for the purchase of a site and the erection of a public building at Miami, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7884) for the purchase of a site and the erection of a public building at Pawhuska, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7885) for the purchase of a site and the erection of a public building at Bartlesville, Okla.; to the Committee on Public Buildings and Grounds.

Also, a bill (H. R. 7886) for the purchase of a site and the erection of a public building at Nowata, Okla.; to the Committee on Public Buildings and Grounds.

By Mr. SNYDER: A bill (H. R. 7887) to provide for quarters, fuel, and light for employees of the Indian field service; to the Committee on Indian Affairs.

Also, a bill (H. R. 7888) to provide for expenditure of tribal funds of Indians for construction, repair, and rental of agency buildings and related purposes; to the Committee on Indian Affairs.

By Mr. SANDLIN: A bill (H. R. 7889) to amend section 28 of the Judicial Code; to the Committee on the Judiciary.

By Mr. ANDREW: Concurrent resolution (H. Con. Res. 16) that permanent markers upon the military graves in Europe shall resemble in form and effect the existing wooden markers; to the Committee on Military Affairs.

By Mr. GRAHAM of Pennsylvania: Resolution (H. Res. 219) for the consideration of the bill H. R. 661 entitled "A bill authorizing the President to appoint two additional circuit judges for the eighth circuit"; to the Committee on Rules.

Also, resolution (H. Res. 220) for the consideration of the bill H. R. 3318 entitled "A bill to provide for the appointment of two additional judges of the district court of the United States for the southern district of New York"; to the Committee on Rules.

By Mr. MACGREGOR: Memorial of the Legislature of the State of New York, favoring enactment of legislation to equalize disability pay to veterans of all wars; to the Committee on Pensions.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CELLER: A bill (H. R. 7890) for the relief of Jay Jones; to the Committee on Claims.

Also, a bill (H. R. 7891) for the relief of Geraldine Kester; to the Committee on Claims.

Also, a bill (H. R. 7892) for the relief of Margaret B. Knapp; to the Committee on Claims.

By Mr. DENISON: A bill (H. R. 7893) granting a pension to Mary E. Tanner; to the Committee on Invalid Pensions.

By Mr. ELLIOTT: A bill (H. R. 7894) granting a pension to John F. Joyce; to the Committee on Pensions.

By Mr. HAMMER: A bill (H. R. 7895) to give the Court of Claims jurisdiction to hear and adjudge the claims of the estate of John Frazer, deceased, and others; to the Committee on Claims.

By Mr. KENDALL: A bill (H. R. 7896) granting a pension to Rebecca Huey; to the Committee on Invalid Pensions.

By Mr. LOZIER: A bill (H. R. 7897) granting a pension to Christena J. Carter; to the Committee on Pensions.

By Mr. MACGREGOR: A bill (H. R. 7898) for the relief of Edward Camp; to the Committee on Military Affairs.

By Mr. MAGEE of Pennsylvania: A bill (H. R. 7899) for the relief of Dr. Charles M. MacDonald; to the Committee on Claims.

By Mr. MEAD: A bill (H. R. 7900) for the relief of Charles Schreiber; to the Committee on Naval Affairs.

Also, a bill (H. R. 7901) granting a pension to Georgiana D. Umpleby; to the Committee on Invalid Pensions.

By Mr. MORGAN: A bill (H. R. 7902) granting an increase of pension to Lephe J. Barler; to the Committee on Invalid Pensions.

Also, a bill (H. R. 7903) granting an increase of pension to Eli Hayes; to the Committee on Pensions.

By Mr. NELSON of Maine: A bill (H. R. 7904) granting a pension to Allen Y. Boggs; to the Committee on Invalid Pensions.

By Mr. PARKS of Arkansas: A bill (H. R. 7905) to make a preliminary survey of Red River, south of Fulton, in Arkansas, with a view to control of its floods; to the Committee on Flood Control.

By Mr. SNELL: A bill (H. R. 7906) granting a pension to Harriet Holmes; to the Committee on Invalid Pensions.

By Mr. TAYLOR of Tennessee: A bill (H. R. 7907) granting a pension to Mary B. Aiken; to the Committee on Pensions. Also, a bill (H. R. 7908) granting a pension to Carl D. Waters; to the Committee on Pensions.

By Mr. VAILE: A bill (H. R. 7909) granting the consent of Congress to the construction, maintenance, and operation by the Denver & Rio Grande Western Railroad Co., its successors and assigns, of a line of railroad across the southwesterly portion of the Fort Logan Military Reservation in the State of Colorado; to the Committee on Military Affairs.

By Mr. WILSON of Indiana: A bill (H. R. 7910) for the relief of Alfred Harris; to the Committee on Claims.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

1713. By the SPEAKER (by request): Petition of the municipal government of Batac, Ilocos Norte, P. I., asking that the Philippine Islands be given their independence; to the Committee on Insular Affairs.

1714. Also (by request), petition of the Oklahoma Branch of the National Woman's Party, indorsing the Lucretia Mott amendment to the Federal Constitution; to the Committee on the Judiciary.

1715. By Mr. ALDRICH: Petition of members of the twenty-sixth district in Rhode Island of the Polish National Alliance of America, protesting against the passage of the Johnson immigration bill; to the Committee on Immigration and Naturalization.

1716. By Mr. ANDREW: Petitions of congregation Ohabei Shalom and its kindred organizations, Sisterhood Temple Ohabei Shalom and the Brotherhood Temple Ohabei Shalom, protesting against the adoption of the Johnson immigration bill; to the Committee on Immigration and Naturalization.

1717. By Mr. CELLER: Petition of Jewish Veterans of the Wars of the Republic, East Side Post, No. 4, opposing any further restrictions in immigration laws; to the Committee on Immigration and Naturalization.

1718. Also, petition of Manufacturers and Dealers' League of City and State of New York, favoring an immediate reduction of 25 per cent in the 1923 Federal income tax; to the Committee on Ways and Means.

1719. By Mr. CROWTHER: Petition of Lodge Pieta Ed Amore, No. 820, Order of the Sons of Italy in America, of Schenectady, N. Y., voicing disapproval of the Johnson immigration bill; to the Committee on Immigration and Naturalization.

1720. By Mr. FULLER: Petitions of the National Association of Letter Carriers, and sundry post-office employees, and other citizens, for reclassification and increase of salaries of postal employees; to the committee on the Post Office and Post Roads.

1721. By Mr. LEAVITT: Petition of 200 members of the Woman's Christian Temperance Union of Billings, Mont., indorsing House bill 4102, a bill to provide for a bureau of prohibition in the Treasury Department, and to define its powers and duties; to the Committee on the Judiciary.

1722. By Mr. LUCE: Petition of residents of the thirteenth Massachusetts congressional district, urging the manufacture of material for Army and Navy in arsenals and navy yards; to the Committee on Naval Affairs.

1723. By Mr. MacGREGOR: Resolution of the New York State Forestry Association at their twelfth annual meeting, approving of the provisions of Senate bill 1182 and House bill 4830 and urging their speedy enactment into law; to the Committee on Agriculture.

1724. Also, petition of Riverside Residents Association, John Beiring, secretary, urging Congress to enact legislation to deport aliens convicted of crimes; to the Committee on Immigration and Naturalization.

1725. By Mr. O'CONNELL of Rhode Island: Petition of members of the Rhode Island Polish National Alliance of America opposing the Johnson immigration bill; to the Committee on Immigration and Naturalization.

1726. By Mr. PATTERSON: Petition of Woodstown Chamber of Commerce, Woodstown, Salem County, N. J., indorsing certain changes in first, second, and third class mail matter; to the Committee on the Post Office and Post Roads.

1727. By Mr. STRONG of Pennsylvania: Petition of Washington Camp, No. 696, Patriotic Order Sons of America, Kelly Station, Pa., in favor of legislation to further restrict immigration; to the Committee on Immigration and Naturalization.

1728. By Mr. TAGUE: Petition of Congregation Ohabei Shalom and its kindred organizations, Sisterhood Temple Ohabei Shalom and the Brotherhood Temple Ohabei Shalom, of Boston, Mass., protesting against enactment of Johnson immigration bill; to the Committee on Immigration and Naturalization.

1729. By Mr. TEMPLE: Petition of Washington County Chapter, Daughters of American Revolution, Washington, Pa., indorsing the bill providing that The Star Spangled Banner be made the national anthem of the United States; to the Committee on the Judiciary.

1730. By Mr. TINKHAM: Petition of the grain board of the Boston Chamber of Commerce, expressing opposition to the McNary-Haugen bill; to the Committee on Agriculture.

1731. Also, petition of Brotherhood Temple Ohabei Shalom, opposing the Johnson immigration bill on the ground that it is in conflict with the United States Constitution; to the Committee on Immigration and Naturalization.

SENATE.

FRIDAY, March 14, 1924.

The Chaplain, Rev. J. J. Muir, D. D., offered the following prayer:

Gracious Father, we thank Thee this morning for the brightness of the day, and we do ask that there may be such response of gratitude in our hearts and lives that it may express the fullest appreciation of our dependence upon Thee and our willingness to walk in the paths of Thy commandments. Be pleased to be with us. Help us in the midst of problems multiplied. Be our wisdom, our guide, and ever deliver us from that which is not according to Thy will. We ask in Jesus Christ's name. Amen.

NAMING A PRESIDING OFFICER.

The Secretary (George A. Sanderson) read the following communication:

UNITED STATES SENATE,
PRESIDENT PRO TEMPORE,
Washington, D. C., March 14, 1924.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. JAMES W. WADSWORTH, Jr., a Senator from the State of New York, to perform the duties of the Chair this legislative day.

ALBERT B. CUMMINS,
President pro tempore.

Mr. WADSWORTH thereupon took the chair as Presiding Officer.

THE JOURNAL.

The reading clerk proceeded to read the Journal of the proceedings of the legislative day of Wednesday last when, on request of Mr. CURTIS and by unanimous consent, the further reading was dispensed with and the Journal was approved.

CALL OF THE ROLL.

Mr. CURTIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Secretary will call the roll.

The principal clerk called the roll, and the following Senators answered to their names:

Adams	Ferris	Ladd	Sheppard
Ashurst	Fess	Lodge	Shields
Ball	Fletcher	McKellar	Shipstead
Bayard	Frazier	McKinley	Shortridge
Borah	George	McLean	Simmons
Brandeggee	Gerry	McNary	Smith
Brookhart	Glass	Mayfield	Smoot
Broussard	Gooding	Neely	Spencer
Bruce	Hale	Norris	Stanfield
Bursum	Harreld	Oddie	Stephens
Capper	Harris	Overman	Swanson
Caraway	Harrison	Owen	Trammell
Colt	Howell	Pepper	Wadsworth
Copeland	Johnson, Minn.	Philpotts	Walsh, Mass.
Couzens	Jones, N. Mex.	Pittman	Warren
Curtis	Jones, Wash.	Ralston	Watson
Dale	Kendrick	Ransdell	Weller
Dill	Keyes	Reed, Pa.	Wheeler
Ernst	King	Robinson	Willis

The PRESIDING OFFICER. Seventy-six Senators having answered to their names, a quorum is present.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Chaffee, one of its clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to the bill (H. R. 5078) making appropriations for